

FILED
January 27, 2021
INDIANA UTILITY
REGULATORY COMMISSION

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF INDIANA GAS COMPANY,)
INC. D/B/A CENTERPOINT ENERGY)
INDIANA NORTH FOR APPROVAL OF A) CAUSE NO. 45488
GAS SERVICE AGREEMENT WITH)
NUCOR CORPORATION)

PETITIONER'S VERIFIED MOTION
ON AN EXPEDITED BASIS FOR INTERIM ORDER

Indiana Gas Company, Inc. d/b/a CenterPoint Energy Indiana North (“Petitioner” or “CEI North”) by counsel, and pursuant to 170 IAC 1-1.1-12 and Ind. Code § 8-1-2-72, respectfully moves the Indiana Utility Regulatory Commission (“Commission”) to allow for the continuation of the current Nucor Gas Service Agreement’s rates, charges, terms, and conditions, as approved in Cause No. 44982. In support of this Verified Motion, CEI North states as follows:

Background

Nucor Steel, a division of Nucor Corporation (“Nucor”) operates a steel production facility located near the City of Crawfordsville, Indiana (“Crawfordsville Plant”). The provisions governing natural gas service to the Crawfordsville Plant are important to Nucor’s successful operation of the Crawfordsville Plant. Petitioner and Nucor, previously through confidential negotiations, agreed to a Natural Gas Service Agreement dated August 28, 2017 (the “2017 Nucor Gas Service Agreement”). The Commission approved the 2017 Nucor Gas Service Agreement by an Order issued in Cause No. 44982 on January 31, 2018 thereby authorizing CEI North to supply gas service to Nucor pursuant to such Gas Service Agreement. The 2017 Nucor

Gas Service Agreement expires on January 31, 2021.

Petitioner and Nucor have extensively negotiated in good faith concerning the rates, charges, terms, and conditions of a replacement Gas Service Agreement, and have concluded it is in their mutual best interests that a new Gas Service Agreement be reached and filed with the Commission for approval. Petitioner and Nucor are diligently working towards finalization of a new Gas Service Agreement but will be unable to file it before January 31, 2021.

Interim Relief

CEI North requests that the Commission expeditiously approve an Interim Order extending the terms of the 2017 Nucor Gas Service Agreement , as approved in Cause No. 44982, which are set to expire January 31, 2021, on an interim basis, from the date of expiration of the 2017 Nucor Gas Service Agreement until the issuance of a Final Order in this Cause. Such extension is reasonable as the parties have made diligent efforts to timely enter into a new Gas Service Agreement, but nevertheless will be unable to file it prior to the expiration of the 2017 Nucor Gas Service Agreement. Extending the 2017 Nucor Gas Service Agreement will not adversely affect the adequacy or reliability of service to any of Petitioner's other customers nor alter any of Petitioner's other existing rates or contracts.

Accordingly, CEI North respectfully requests an Attorneys' Conference promptly be set for the week of February 8 and publicly notice this matter to facilitate the approval of the Interim Order pursuant to this Motion for Expedited Treatment and supporting affidavit. CEI North further requests the Interim Order expire upon the issuance of a Final Order in this Cause or Petitioner's withdrawal of this Petition.

No Waiver

CEI North proposes the Commission approval of this Verified Motion and requested interim relief shall be without waiver of any position any party, including CEI North and Nucor,

may take with respect to the Petition for approval of new Gas Service Agreement that will be filed in this Cause.

Supporting Declaration

This Verified Motion is supported by the Verified Declaration of Rina H. Harris, Director, Energy Solutions and Business Services, Midwest Region for CEI North, who is responsible for development of strategies, policies and the evaluation of the Gas Service Agreement between CEI North and Nucor.

WHEREFORE, CEI North hereby respectfully requests that this Verified Motion promptly be granted; conduct such hearing as may be necessary or appropriate; and thereafter issue an Order granting CEI North the relief sought, and all other appropriate relief as may be appropriate.

Dated this 27th day of January, 2021

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Justin Hage", is written over a solid horizontal line.

Justin C. Hage
Attorney for Indiana Gas Company, Inc. d/b/a
CenterPoint Energy Indiana North

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing *Verified Petition* was electronically delivered this 27th day of January, 2021, to the following:

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Atty. No. 33785-32

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EXHIBIT 1

AFFIDAVIT OF RINA H. HARRIS

COMES NOW Rina H. Harris, being duly sworn, and deposes and says:

1. My name is Rina H. Harris. I am employed by Indiana Gas Company, Inc. d/b/a CenterPoint Energy Indiana North (“Petitioner” or “CEI North”) as Director, Energy Solutions and Business Services, Midwest Region. My business address is 211 NW Riverside Drive, Evansville, Indiana 47708.

2. This Affidavit is being filed with the Indiana Utility Regulatory Commission (“Commission”) in support of Petitioner’s Verified Motion on an Expedited Basis for Interim Order.

3. This Affidavit will address the current status of negotiations between CEI North and Nucor Steel, a division of Nucor Corporation (“Nucor”) regarding the new Gas Service Agreement.

4. As Director, Energy Solutions and Business Services, Midwest Region, I am familiar with CEI North’s Gas Service Agreements and other customer-specific contracts. The new Gas Service Agreement and certain CEI North testimony, exhibits and workpapers to be submitted in this Cause will reflect terms regarding costs, pricing-related information, and other negotiated, competitive provisions of service that were negotiated between CEI North and Nucor.

5. The current Gas Service Agreement (“2017 Nucor Gas Service Agreement”) is set to expire on January 31, 2021, in accordance with the Commission’s Final Order in Cause No. 44982.

6. CEI North and Nucor have continuously negotiated, in good faith, a new Gas Service Agreement.

7. An Interim Order is needed to maintain consistency between the 2017 Nucor Gas Service Agreement and the soon to be filed new Gas Service Agreement. Negotiations between

CEI North and Nucor have continued into 2021. The anticipated conclusion of negotiations will not allow the Company to receive Commission approval of a new Gas Service Agreement before the termination of the 2017 Nucor Gas Service Agreement. Rather than punitively forcing Nucor off the 2017 Nucor Gas Service Agreement rates and charges, the Company is requesting an Interim Order extending the terms of the 2017 Nucor Gas Service Agreement, as approved in Cause No. 44982, which are set to expire on January 31, 2021, on an interim basis, from the date of expiration of the 2017 Nucor Gas Service Agreement until the issuance of a Final Order in this Cause or the accompanying Petition is withdrawn.

8. I believe CEI North's request for an Interim Order is in the public interest. Commission approval for CEI North to continue the 2017 Nucor Gas Service Agreement, pending a final order in this Cause, is beneficial to the Company, Nucor, and CEI North's customers.

[Affirmation Page to Follow]

VERIFICATION

I hereby verify under the penalty of perjury that the foregoing representation: are true to the best of my knowledge, information and belief.

Rina H. Harris
Rina H. Harris
Date: 1/27/21

STATE OF INDIANA)

) SS:

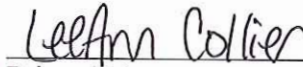
COUNTY OF VANDERBURGH)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Rina H. Harris, who having been duly sworn upon his oath, attested that the foregoing statements are true to the best of his knowledge, information and belief.

WITNESS my hand and seal this 27th day of January, 2021.



Signature, Notary Public



Printed Name

My Commission Expires:

Nov. 11, 2023

My County of Residence:

Vanderburgh



LEEANN COLLIER
Resident of Vanderburgh Co., IN
Commission #: 675425
Commission Expires: Nov. 11, 2023