

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

VERIFIED PETITION OF INDIANA )  
GAS COMPANY, INC. AND SOUTHERN )  
INDIANA GAS AND ELECTRIC ) CAUSE NO. 42943  
COMPANY D/B/A VECTREN ENERGY )  
DELIVERY OF INDIANA, INC. FOR )  
APPROVAL OF A CONSERVATION ) PREHEARING CONFERENCE  
PROGRAM AND A CONSERVATION ) ORDER  
ADJUSTMENT THROUGH APPROVAL )  
OF NEW TARIFF RIDERS AND )  
ASSOCIATED TERMS AND ) APPROVED: DEC 09 2005  
CONDITIONS OF SERVICE UNDER )  
IND. CODE § 8-1-2-42(a) )

**BY THE COMMISSION:**

David E. Ziegner, Commissioner

William G. Divine, Administrative Law Judge

On October 25, 2005, Indiana Gas Company, Inc. and Southern Indiana Gas and Electric Company ("Petitioners") filed a Verified Petition, as titled above, with the Indiana Utility Regulatory Commission ("Commission").

Pursuant to notice, and as provided in 170 IAC 1-1.1-15, a Prehearing Conference was held in this Cause on November 28, 2005, at 1:30 p.m., EST, in Room E306 of the Indiana Government Center South, Indianapolis, Indiana. Proofs of publication of the notice of the Prehearing Conference have been incorporated into the record and placed in the official files of the Commission. Petitioners, Intervenor Citizens Action Coalition of Indiana, Inc., and the Indiana Office of Utility Consumer Counselor ("Public") appeared and participated, by counsel, at the Prehearing Conference.

Prior to the opening of the record and with the consent of all parties in attendance, an informal discussion was held regarding procedural and scheduling matters in this Cause. The agreement of the parties was then read into the record.

Based upon the agreement of the parties, the Commission now enters the following Findings and Order which should become a part of the record in this proceeding:

1. **Petitioners' Prefiling Date.** Petitioners should prefile with the Commission their prepared testimony and exhibits constituting their case-in-chief on or before March 15, 2006. Copies of same should be served upon all parties of record.

2. **Settlement Hearing.** In the event the parties are able to reach an agreement on some or all of the issues in this Cause, a settlement agreement and supporting evidence should be filed with the Commission on or before April 24, 2006, and a Settlement Hearing should be conducted on May 1, 2006, at 9:30 a.m., EST, in Room E306 of the Indiana Government Center South, Indianapolis, Indiana.

If the parties are unable to reach an agreement, the parties should so notify the Commission on or before April 24, 2006, and the scheduled Settlement Hearing date should be vacated. If the parties are unable to reach agreement, the established prefilings and procedural schedule should continue to be followed and a final Evidentiary Hearing should be convened on the date specified below.

3. **Public's and Intervenors' Prefiling Date.** The Public and all Intervenors should prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before May 15, 2006. Copies of same should be served upon all parties of record.

4. **Rebuttal Prefiling Date.** Petitioners' rebuttal testimony and exhibits should be prefiled with the Commission and served on all parties of record on or before May 31, 2006.

5. **Evidentiary Hearing.** In the event this Cause is not settled, the cases-in-chief of the Petitioners, Public and all Intervenors should be presented in an Evidentiary Hearing to commence on June 21, 2006, at 9:30 a.m., EST, in Conference Center Room 32, Indiana Government Center South, Indianapolis, Indiana. At such time, the direct evidence of the respective parties should be presented and their respective witnesses examined. Thereafter, Petitioners should present their prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of Public's or Intervenors' witnesses.

6. **Discovery.** Discovery is available for all parties and should be conducted on an informal basis. Prior to and including the date established for Petitioners to prefile rebuttal testimony, any response or objection to a discovery request should be made within ten (10) business days of the receipt of such request. After the date that Petitioners prefile rebuttal testimony, any response or objection to a discovery request should be made within five (5) calendar days of the receipt of such request. The cut-off date for discovery is June 15, 2006.

7. **Number of Copies.** With the exception of work papers, parties should file with the Commission an original and five (5) copies of all prefiled testimony and exhibits. Although the Commission's rules require that original copies be one-sided, it is the Commission's preference that duplicate copies be double-sided.

8. **Prefiling of Work Papers.** When prefiling technical evidence with the Commission, each party should concurrently file copies of the work papers used to produce that evidence. Copies of same should also be provided to any other party requesting such in writing. When submitting work papers to the Commission, two (2) copies of each document should be filed with the Secretary of the Commission.

9. **Objections to Prefiled Testimony and Exhibits.** Any objections to the admissibility of prefiled testimony or exhibits should be filed with the Commission and served on all parties of record no less than two (2) business days prior to the date scheduled for commencement of the hearing at which the testimony or exhibit will be offered into the record.

10. **Corrections to Prefiled Testimony and Exhibits.** Any corrections to prefiled testimony or exhibits should be filed with the Commission and served on all parties of record no less than two (2) business days prior to the date scheduled for commencement of the hearing at which the testimony or exhibit will be offered into the record. If corrections to an exhibit appear in multiple iterations or are extensive, the exhibit with corrections incorporated should be rebound as necessary to minimize confusion over the substance and pagination of the exhibit.

11. **Sworn Testimony.** Any witness testimony to be offered into the record of this proceeding should be made under oath or affirmation. In accordance with 170 IAC 1-1.1-18(h), if the prefiled testimony of a witness is to be offered into evidence at the Evidentiary Hearing, and the witness sponsoring the prefiled testimony is not required to, and does not, attend the Evidentiary Hearing, the prefiled testimony should be accompanied by the witness's sworn affidavit or written verification at the time the evidence is offered into the record.

12. **Intervenors.** Any party permitted to become an Intervenor in this Cause should be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 IAC 1-1.1-11.

**IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:**

1. The determinations of the Prehearing Conference, as set forth in the above Findings, are made a part of the record in this Cause and shall be binding on all present and future parties of record during the proceedings in this Cause.

2. This Order shall be effective on and after the date of its approval.

**HARDY, HADLEY, LANDIS, SERVER AND ZIEGNER CONCUR:**

**APPROVED:** DEC 09 2005

**I hereby certify that the above is a true and correct copy of the Order as approved.**



**Pamela White**  
**Acting Secretary to the Commission**