

STATE of INDIANA

INDIANA UTILITY REGULATORY COMMISSION
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**VERIFIED PETITION OF DUKE ENERGY)
INDIANA, LLC FOR APPROVAL OF LOW-)
INCOME REDUCED DEPOSIT AND)
DEFERRED PAYMENT PLAN, AND) CAUSE NO. 45775
VOLUNTARY OPT-IN ROUNDUP PROGRAM,)
AS AN ALTERNATIVE REGULATORY PLAN)
PURSUANT TO IND. CODE § 8-1-2.5-6)**

You are hereby notified that on this date the Indiana Utility Regulatory Commission (“Commission”) has caused the following entry to be made:

On September 28, 2022, Citizens Action Coalition of Indiana, Inc. (“CAC”), by counsel, filed a *Petition to Intervene of Citizens Action of Coalition of Indiana* (“Petition”) in the above-captioned Cause. In the Petition, CAC advises that CAC is a membership organization whose members include numerous individuals and families who are residential retail customers of Duke Energy Indiana, LLC (“Duke” or “Petitioner.”) CAC asserts that its members pay rates and charges for residential electric service that will be impacted if Duke gains approval of the low-income reduced deposit and deferred payment plan being proposed. CAC further asserts that because its members are dependent upon Petitioner’s facilities, DSM programs, and personnel for the reliability of their electric service, any changes will impact them; therefore, CAC has a substantial interest in this proceeding. CAC contends no other party can adequately represent its members’ substantial interests and commits to not unduly broaden the issues or otherwise burden the proceedings. No objection has been filed to CAC’s requested intervention.

170 IAC 1-1.1-11 governs intervention in Commission proceedings and states:

- (a) A petition to intervene may be filed by a person or entity alleging a substantial interest in the subject matter of the proceeding in which the person or entity requests leave to intervene.
- (b) Petitions to intervene shall set out clearly and concisely facts showing the following:
 - (1) The proposed intervenor’s substantial interest in the subject matter of the proceeding.

- (2) The position of the proposed intervenor with respect to the matters involved in the proceeding.
- (3) Specific prayers for affirmative relief, if desired.
- (4) A prayer for leave to intervene and to be made a party to the proceeding.
- (c) A petition to intervene shall be filed not less than five (5) days prior to the date set for the initial public evidentiary hearing on the merits. A petition to intervene may be filed and granted thereafter at the discretion of the presiding officer, upon good cause shown.
- (d) If a petition to intervene satisfies this section and shows the proposed intervenor has a substantial interest in the subject matter of the proceeding or a part thereof, and the proposed intervenor's participation will not unduly broaden the issues or result in unreasonable delay of the proceeding, the presiding officer may grant the prayer for leave to intervene, in whole or in part and, thereupon, the intervenor becomes a party to the proceeding with respect to the matters set out in the intervention petition.
- (e) An intervenor is bound by rulings and other matters of record prior to the time the intervenor is made a party and takes the case as the intervenor finds it as of the date of intervention.
- (f) Petitions to intervene, when filed with the commission, shall show service thereof upon the parties to the proceeding, in conformity with section 13 of this rule.
- (g) A party may object to a petition to intervene, and, absent objection thereto, may be deemed to have waived an objection to the granting of the petition. A response shall be filed within seven (7) days after service of the petition to intervene unless the presiding officer prescribes a different time. The response shall be served on the other parties. A reply to the responses shall be filed within five (5) days after service of the response unless the presiding officer prescribes a different time. Responses or replies may be made orally at the time of the hearing or prehearing conference if there exists insufficient time prior to the hearing or conference to make a written response or reply according to the deadlines provided under this section.

The Presiding Officers, after reviewing the Petition, find CAC has shown it has a substantial interest in the subject matter of this proceeding because its members who are retail electric customers of Duke may be impacted by the Commission's determination of the matters at issue; therefore, the Petition is GRANTED.

IT IS SO ORDERED.



David E. Veleta, Commissioner



Carol Sparks Drake, Senior Administrative Law Judge

Date: October 6, 2022