

FILED
October 9, 2024
INDIANA UTILITY
REGULATORY COMMISSION

STATE of INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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PETITION OF NORTHERN INDIANA PUBLIC)
SERVICE COMPANY LLC PURSUANT TO)
IND. CODE §§ 8-1-2-42.7, 8-1-2-61 AND 8-1-2.5-)
6 FOR (1) AUTHORITY TO MODIFY ITS)
RETAIL RATES AND CHARGES FOR)
ELECTRIC UTILITY SERVICE THROUGH A)
PHASE IN OF RATES; (2) APPROVAL OF)
NEW SCHEDULES OF RATES AND)
CHARGES, GENERAL RULES AND)
REGULATIONS, AND RIDERS (BOTH)
EXISTING AND NEW); (3) APPROVAL OF)
REVISED COMMON AND ELECTRIC)
DEPRECIATION RATES APPLICABLE TO)
ITS ELECTRIC PLANT IN SERVICE; (4))
APPROVAL OF NECESSARY AND)
APPROPRIATE ACCOUNTING RELIEF,)
INCLUDING, BUT LIMITED TO,)
AUTHORITY TO CAPITALIZE AS RATE)
BASE ALL EXPENDITURES FOR)
IMPROVEMENTS TO PETITIONER'S)
INFORMATION TECHNOLOGY SYSTEMS)
THROUGH THE DESIGN, DEVELOPMENT,)
AND IMPLEMENTATION OF A WORK AND)
ASSET MANAGEMENT ("WAM"))
PROGRAM, TO THE EXTENT NECESSARY;)
AND (5) APPROVAL OF ALTERNATIVE)
REGULATORY PLANS FOR THE PARTIAL)
WAIVER OF 170 IAC 4-1-16(f) AND)
PROPOSED REMOTE DISCONNECTION)
AND RECONNECTION)
PROCESS AND, TO THE EXTENT)
NECESSARY, IMPLEMENTATION OF A)
LOW INCOME PROGRAM.)

CAUSE NO. 46120

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

On September 12, 2024, Northern Indiana Public Service Company LLC (“Petitioner”) filed its Verified Petition for General Rate Increase and Associated Relief Under Indiana Code §§ 8-1-2-61, 8-1-2-42.7, and 8-1-2.5-6 and Notice of Provision of Information in Accordance with the Commission’s Minimum Standard Filing Requirements (“Petition”) in the above-captioned Cause. Petitioner contemporaneously filed its Submission of Agreed Procedural Schedule in which Petitioner proposed a procedural schedule to which the Indiana Office of Utility Consumer Counselor (“OUCC”), Citizens Action Coalition of Indiana, Inc., NIPSCO Industrial Group, NLMK Indiana, United States Steel Corporation, Walmart, Inc., and the RV Group (collectively, “Agreeing Parties”) did not object. This schedule indicates that Petitioner and the Agreeing Parties waived conducting a prehearing conference in this Cause. The Presiding Officers, having reviewed the proposed schedule, now establish the following procedural schedule in this matter:

1. **Test Year and Accounting Method.** Petitioner proposed a forward-looking test period using projected data as authorized by Ind. Code § 8-1-2-42.7(d). The test year for determining Petitioner’s projected operating revenues, expenses, and operating income shall be the 12-month period ending December 31, 2025. The historic base period shall be the 12-month period ending December 31, 2023.

2. **Rate Base and Major Projects Cutoff Dates and Major Projects Updates.** The rate base cutoff shall reflect used and useful property as of May 31, 2025 (for Petitioner’s proposed Step 1 rates) and December 31, 2025 (for the proposed Step 2 rates). The major project cutoff date is January 27, 2025. Petitioner is not required to file monthly investment updates regarding major projects that would otherwise be required by 170 IAC 1-5-5; however, Petitioner shall declare major projects used and useful in accordance with 170 IAC 1-5-5.

3. **Notice to Customers.** Petitioner shall provide evidence of its compliance with 170 IAC 4-1-18(C) to provide notice to its customers within 45 days of filing a petition with the Commission for a change in its base rates which fairly summarizes the nature and extent of the proposed changes.

4. **Petitioner’s Prefiling Date.** Petitioner prefiled with the Commission its prepared testimony and exhibits constituting its case-in-chief on September 12, 2024. Copies of the same shall be served upon all parties of record.

5. **Field Hearings.** Field hearings will be held in this Cause at dates, times, and locations set forth in a subsequent docket entry.

6. **OUCC and Intervenors’ Prefiling Date.** The OUCC and all Intervenors shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before December 19, 2024. Copies of the same shall be served upon all parties of record.

7. **Petitioner’s Rebuttal and OUCC/Intervenors’ Cross-Answering Prefiling Date.** Petitioner shall prefile with the Commission its prepared rebuttal testimony on or before January 16, 2025, and the OUCC and all Intervenors shall also prefile their respective cross-

answering testimony and exhibits, if any, on or before January 16, 2025. Copies of the same shall be served upon all parties of record.

8. Settlement Agreement and Testimony. If the parties reach settlement, the agreement and supporting testimony and exhibits shall be submitted to the Commission on or before January 23, 2025. Copies of same shall be served upon all parties of record. Per GAO 2013-5, this settlement date is the last day to submit a settlement agreement with supporting testimony and maintain the overall schedule. If settlement covers less than all the parties, the schedule may need to be modified to accommodate testimony objecting to settlement and contested settlement hearing.

9. Witness Order. Each party shall file their intended witness order to the Commission and all parties of record in writing at least 72 hours in advance of the evidentiary hearing.

10. Evidentiary Hearing on the Parties' Cases-In-Chief. In the event this Cause is not settled, this matter shall proceed to an evidentiary hearing to commence at 9:00 a.m. on February 6, 2025, and shall continue at 9:00 a.m. on February 7, 11, 13, 14, 18, 20, and 21, 2025, 11:30 a.m. on February 10 and 17, 2025, and 10:30 a.m. on February 19, 2025, in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. At such time, the cases-in-chief of the Petitioner, the OUCC and any Intervenors shall be presented and their respective witnesses examined. Thereafter, Petitioner shall present its prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of the OUCC's or Intervenors' witnesses.

11. Hearing Exhibits. Paper copies of exhibits to be offered at the evidentiary hearing must be single-sided and fastened together with staples, binder clips, or other non-permanent bindings that have no more than three holes along the longest edge. Parties shall process exhibits (1) consisting of excel spreadsheets, (2) are oversized, or (3) are voluminous in nature, through an optical character recognition program and offer the exhibits on a compact disc. Parties shall offer confidential exhibits on green paper in an envelope marked "confidential" or, if offered on a compact disc, the compact disc shall be labeled "confidential."

12. Sworn Testimony. Any witness testimony to be offered into the record of this proceeding shall be made under oath or affirmation. In accordance with 170 IAC 1-1.1-18(i), if a party offers prefiled testimony of a witness 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 shall be accompanied by the witness's sworn affidavit or written verification at the time the evidence is offered into the record.

13. Post-hearing Filings. A post-hearing filing schedule will be established at the evidentiary hearing to be held in this Cause.

14. Technical Conference. No technical conference is scheduled at this time, but any party may propose a technical conference be scheduled.

15. **Discovery.** Discovery should be conducted on an informal basis, with responses or objections due within ten calendar days. After the OUCC and Intervenors' prefilng date, any responses or objections to a discovery request shall be made within five business days. Discovery requests received after 5:00 p.m. EST on Monday through Thursday or after 12:00 p.m. EST on Fridays or the day before a holiday shall be deemed received the next business day. Subject to the protection of confidential information, all discovery requests and responses shall be served on all parties of record. The last discovery response due date shall be two business days before the evidentiary hearing. Dates designated as "blackout dates" shall not be included in determining the number of days provided for responding to a discovery request. Blackout dates for discovery will be on November 27, 2024 and December 23, 2024 through January 1, 2025. The Parties may conduct discovery through electronic means.

16. **Prefiling of Workpapers.** When a party prefiles technical evidence with the Commission, the party shall also file a copy of the workpapers used to produce that evidence within two business days after prefilng of the technical evidence. Copies of the workpapers shall also be served on all other parties in this Cause. When submitting workpapers to the Commission, two copies of each document shall be filed with the Secretary of the Commission.

17. **Number of Copies/Corrections.** Filings with the Commission shall comply with General Administrative Order 2016-2. Any corrections to prefled testimony shall be made in writing as soon as possible after discovery of the need to make such corrections.

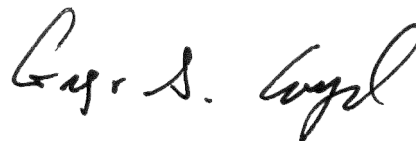
18. **Objections to Prefled Testimony and Exhibits.** Parties shall file and serve on all parties of record, any objections to the admissibility of prefled testimony or exhibits as soon as an objection can be reasonably determined, but no less than ten days prior to the date scheduled for commencement of the hearing at which the testimony or exhibit will be offered into the record.

19. **Intervenors.** Any party permitted to become an Intervenor in this Cause shall 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 SO ORDERED.



James F. Huston, Chairman



Greg S. Loyd, Administrative Law Judge

Date: October 9, 2024