

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

VERIFIED PETITION OF DUKE ENERGY)
INDIANA, LLC, INDIANA MICHIGAN POWER)
COMPANY, INDIANAPOLIS POWER & LIGHT)
COMPANY D/B/A AES INDIANA, NORTHERN)
INDIANA PUBLIC SERVICE COMPANY, LLC,)
SOUTHERN INDIANA GAS & ELECTRIC)
COMPANY D/B/A CENTERPOINT ENERGY)
INDIANA SOUTH, FOR EMERGENCY AND) CAUSE NO. 45744
EXPEDITED DETERMINATIONS THAT)
CERTAIN INFORMATION CONTAINED IN)
REPORTS SUBMITTED TO THE COMMISSION)
PURSUANT TO IND. CODE § 8-1-8.5-13 IS)
CONFIDENTIAL AND EXEMPT FROM)
DISCLOSURE PURSUANT TO 170 IAC 1-1.1-4,)
IND. CODE § 8-1-8.5-13, IND. CODE § 8-1-2-29,)
IND. CODE § 5-14-3-4, AND IND. CODE § 8-1-2-113)

JOINT PETITIONERS' VERIFIED RESPONSE TO JULY 13, 2022 DOCKET ENTRY

Joint Petitioners, Duke Energy Indiana, LLC (“Duke Energy Indiana”), Indiana Michigan Power Company (“I&M”), Indianapolis Power & Light Company d/b/a AES Indiana, Northern Indiana Public Service Company, LLC (“NIPSCO”), Southern Indiana Gas & Electric Company d/b/a CenterPoint Energy Indiana South (“CEI South”), by counsel, and to facilitate the hearing on August 3, 2022, submit the following response to the Commission’s July 13, 2022, docket entry in this Cause.

As an initial matter, Joint Petitioners appreciate the opportunity to provide additional information regarding these issues. The attached Exhibit A compiles the respective positions of the Joint Petitioners with respect to the HEA 1520 questionnaire. Joint Petitioners variously request that the Commission protect (1) open capacity positions for current or future years (MISO and PJM Planning Years 22/23, 23/24, and 24/25); (2) information which, if disclosed, would allow for the respective utility’s open capacity position to be determined; and (3) detailed

information about existing capacity contracts. This detailed information (*e.g.*, the precise amount of actual capacity needs or capacity contracts and information regarding future years) has historically been protected from public disclosure, including in the respective utilities' IRPs. It remains subject to reasonable efforts by Joint Petitioners to protect it from public disclosure, and the regional transmission organizations ("RTOs") do not disclose this information. As shown by the affidavits included with the Joint Petition in this Cause, the Confidential HEA 1520 questionnaire data reveals each member's capacity position and supply requirements necessary for the provision of an appropriate reserve margin in the competitive retail and wholesale electric markets. If publicly disclosed, the information would give each utility's competitors and/or potential suppliers an advantage in the market and would allow them to offer to sell capacity and wholesale power at higher prices than they might ordinarily offer in the absence of such information. This would ultimately be to the detriment of retail electricity customers.

In the context of the IRP proceedings, the Commission has protected competitively sensitive, granular details from public disclosure under Ind. Code § 8-1-2-29 and Ind. Code § 5-14-3-4. *I&M*, Cause No. 45673, p. 5, 2022 WL 1407037 (IURC 4/27/2022); *Duke Energy Indiana*, Cause No. 45654, p. 6, 2022 WL 1155800 (IURC 4/6/2022); *NIPSCO*, Cause No. 45642, p. 5, 2022 WL 671774 (IURC 3/2/2022); *Indianapolis Power & Light Company*, Cause No. 45328, p. 4, 2020 WL 1232328 (IURC 3/4/2020).

The Confidential Information still satisfies the criteria to be a trade secret as further explained below.¹

¹ The Commission's email dated June 23, 2022 requested additional information regarding the status of certain resource projects. This information is the subject of requests for confidential protection made before the information was submitted to the Commission. The July 13, 2022 docket entry, which granted preliminary protection, did not solicit additional information on these matters. Therefore, this response is addressed to the HEA 1520 data.

Q1. The reason Joint Petitioners waited for almost three months to seek confidential treatment for information submitted to the Commission on April 15, 2022 when Joint Petitioners were well aware that 170 IAC 1-1.1-4 requires parties to seek a finding by the Commission that information is entitled to confidential treatment before submitting information considered to be confidential to the Commission.

A1. In hindsight, Joint Petitioners recognize that confidential treatment of the information should have been sought sooner. Joint Petitioners mistakenly relied on past course of dealing in assuming that the information would be held confidentially. The information provided via email in the HEA 1520 Submission is essentially the same as the competitively sensitive MISO OMS Survey information the Commission has previously requested and received from the MISO members via email. The IURC has not previously released the OMS information. Nor has MISO publicly released the information in the granular format (*i.e.*, company by company). For PJM entities, Section I.D. of Appendix M to the Open Access Transmission Tariff (“OATT”) states : “Any confidential information provided to an Authorized Commission pursuant to this section I shall not be further disclosed by the recipient Authorized Commission except by order of the FERC.” Consequently, when each RTO member provided the detailed, granular capacity position information it was not clearly understood that the information would be made public to the other Indiana utilities or to the general public.

It was not until the RTO members received a June 23, 2022, email from the Commission’s Chief of Staff that Joint Petitioners realized this information was going to be released to the other utilities and the general public. Joint Petitioners moved quickly thereafter to address and correct this matter. On June 28, 2022, the Commission’s Chief of Staff, Ryan Heater, was contacted by Mindy Westrick Brown, Vice President of the Indiana Energy Association (“IEA”), on behalf of IEA members to notify the Commission of the competitively sensitive nature of the market information and to take steps to have the material removed and protected against public disclosure.

On June 30, 2022, Ms. Westrick Brown was informed by Mr. Heater that the parties would need to file a petition for protection of any sensitive information with the Commission. On July 1, 2022, counsel for Joint Petitioners held a conference call to discuss this issue, at which time it was requested that each Joint Petitioner not further distribute the information shared in the June 23, 2022, email (even inside each respective company), as it contained confidential information. On July 5, 2022, Kay Pashos, attorney for the IEA Joint Petitioners, spoke with the Commission's General Counsel, Beth Helene, for direction on how to comply with the Commission's July 6, 2022 deadline to submit responses to the Commission's questionnaire while maintaining a claim for the confidentiality of some of that information. On July 6, 2022, a formal petition was filed seeking this relief. On that same date, Joint Petitioners filed their respective questionnaire responses with Mr. Heater following the procedures outlined by Ms. Helene.

Q2. Whether the Confidential Information still satisfies the criteria to be trade secret information when it has been publicly available for almost three months and portions of the information have been shared by the Commission with others, such as other Joint Petitioners, the Midcontinent Independent System Operator, Inc., and PJM.

A2. Joint Petitioners believe the Confidential Information still satisfies the criteria to be a trade secret. An owner of a trade secret is not required to maintain absolute secrecy; rather the owner must undertake reasonable efforts to maintain secrecy of the information:

Simply because information is disclosed outside of a company does not result in the loss of trade secret status ... 'the owner of a trade secret may, without losing protection, disclose it to a licensee, an employee, or a stranger, if the disclosure is made in confidence, express or implied.'

Catalyst & Chemical Services, Inc. v. Global Ground Support, 350 F. Supp.2d 1 at 10-11 (D.D.C. 2004) (internal citations omitted).

As explained in *Zemco Mfg. v. Navistar Int'l Transp. Corp.*, 759 N.E.2d 239, 246 (Ind. Ct. App. 2001) reasonable efforts to maintain confidentiality need not be overly extravagant:

By definition, information is a trade secret only if it is the subject of reasonable efforts to maintain its secrecy. Ind. Code § 24-2-3-2. The owner of the alleged trade secret must take reasonable, though not overly extravagant, measures to protect its secrecy. *Flotec, Inc. v. Southern Research, Inc.*, 16 F. Supp. 2d 992, 1000 (S.D. Ind. 1998). Absolute secrecy is not required. *Webster Eng'g & Mfg. Co., Inc. v. Francis*, 1993 U.S. Dist. LEXIS 14346, *12, 1993 WL 406025 (D. Kan. 1993). What is “reasonable” under the facts of one case may be considered inadequate under the facts of another.

“An explicit promise of confidentiality is not necessary if the recipient of the information knew or should have known that the information was a trade secret and the owner expected the recipient to keep the information secret.” *Flotec, Inc. v. Southern Research, Inc.*, 16 F. Supp. 2d 992, 1000, 1006 (S.D. Ind. 1998) (citations omitted).

As explained in response to Q1, it has been the practice of the Commission to request and receive competitively sensitive MISO OMS survey information via email and not disclose it publicly. This historical course of dealing indicated to Joint Petitioners that the confidential and competitively sensitive nature of this market information was understood.

The HEA 1520 information is essentially the same information as provided in the MISO OMS survey. The Commission used the same email procedure it has used previously for the MISO OMS information to request and receive this information from the RTO members. This procedure has not resulted in the public release of the competitively sensitive MISO OMS market data, even in the absence of a verified petition seeking such treatment. Consequently, Joint Petitioners sent the information via email to the Commission with the expectation that the information would not be disclosed to the other utilities or published to the public. However, in retrospect, Joint Petitioners acknowledge that explicitly identifying their submissions as confidential and filing a verified petition to seek such treatment by the Commission would have ensured that the Commission treated the information as confidential and not subject to public disclosure.

Joint Petitioners understand the Commission’s rules (170 IAC 1-1.1-4(a)) on requests for information to be considered confidential directs a party to apply for a finding by the Commission, on or as soon as practicable before the date (if any) the information is required to be filed. At the time the email procedure discussed above was first implemented, the rule did not expressly address communications outside of the formal dockets and formal submissions. Amendments to the rule adopted in June 2020 during the pandemic added subdivision 4(a)(1)(B), which clarified that confidential treatment must be sought for material that is submitted to the Commission *but not part of a docketed proceeding*.² Joint Petitioners apologize to the Commission for failing to recognize the new procedure should apply to the email request for RTO data. Joint Petitioners did not intend for the information to be made public; the disclosure was inadvertent and limited. As far as Joint Petitioners are aware, the Commission only provided this information to MISO, PJM, and other Indiana utilities. It was not, for example, publicly posted on the Commission’s website or provided to any member of the public. This has limited the potential impact of the failure to seek confidential treatment in the first instance, especially considering that MISO and PJM would have access to such information and release such information publicly only in the aggregate if certain conditions are met,³ the steps Joint Petitioners took to limit further disclosure within each

² See 20200708-IR-170190378FRA (filed Jun 10, 2020, 7:38 a.m.).

³ See PJM Manual 33, Section 6.1 (Market Data Postings), which provides: “To the extent PJM deems information relative to the operation of its electricity markets valuable for public dissemination, or upon request by one or more PJM stakeholders, PJM will post aggregated market data on its public web site. In order to ensure that market sensitive data is not revealed and to prevent potential misuse of such data, PJM will only post aggregated market data to the extent that it meets the following criteria: •More than three (3) market participants’ data in a particular category is being aggregated for posting. For example, if the data being considered for posting is load data, more than three (3) Load-Serving Entities’ data must be aggregated; and •The data to be posted is aggregated over a geographic area no smaller than a PJM transmission zone.” See also MISO FERC Electric Tariff, Module C, Section 38.9.1 (Access to Confidential Information by Market Participants and Others), which provides: “No Market Participant shall have a right hereunder to receive or review any documents, data, or other information of another Market Participant, including documents, data, or other information provided to the Transmission Provider, to the extent such documents, data, or information have been designated as confidential pursuant to the procedures adopted by the Transmission Provider specified in the Business Practices Manuals, or to the extent that they have been designated as confidential by such other Market Participant; provided, however, a Market Participant may receive and review any composite documents,

respective company, and the steps Joint Petitioners took to address this issue with the Commission prior to filing their Joint Petition in this Cause.⁴

The Commission has previously recognized that inadvertent public disclosure of trade secret information does not cause the information to lose its confidential status where the affected party responded expeditiously to have the confidential material protected.⁵ Joint Petitioners have responded expeditiously to the inadvertent disclosure to have the confidential information protected. As explained in Joint Petitioners' answer to Q1, Joint Petitioners became aware that their information would be shared on June 23, 2022, notified the Commission on June 28, 2022 that the information was considered confidential, requested advice from the Commission on how to address the issues, and filed a Joint Petition for Protection in this Cause on July 6, 2022. Further, the Confidential Information has not been made publicly available in a formal Commission docket or posted to the Commission website.

The HEA 1520 and OMS survey information are market sensitive. This information has been the subject of efforts by RTOs and the utilities to protect it from public disclosure. It is

data, and other information that may be developed based on such confidential documents, data, or information if the composite does not disclose any individual Market Participant's Confidential Information."

⁴ As stated above, the RTOs maintain this information as confidential. Each utility has requested that other IN utilities who received the Confidential Information not disclose it publicly or distribute it within each respective company. Although disclosure of this information to other IN utilities could impact each utility's procurement of capacity in the wholesale market—as the other utility knows the other member's position vis-à-vis their own—full public disclosure could have a more negative impact on capacity procurement. The handful of IN utilities who received the information are a small subset of the broader MISO and PJM member communities, with whom an Indiana utility may be "competing" for capacity, and the parties with whom an Indiana utility would seek to contract for needed capacity would also not be aware of the individual utility's capacity position at this time—but would be if it were publicly disclosed.

⁵ *In re Indiana Bell Telephone Co. Inc.*, Cause No. 42797, 2005 WL 3406282, *4, (IURC May 9, 2005) (acknowledged exceptions, but found they did not apply because information had been in the public record for two years, and as such have not been subject to reasonable efforts to maintain secrecy); *Petition of Metrocom for Confidential and Proprietary Treatment of Portions of its Local Exchange Carrier Annual Report for the Year Ending December 31, 2003, et al.*, Cause No. 42625, 2004 Ind. PUC LEXIS 252 at 15-16 (IURC June 30, 2004) (Found information would not be protected as trade secret because information had been previously shared publicly by its holder in two years of annual reports).

clearly in the public interest for the information to be maintained as confidential for the reasons set forth in the Affidavits attached to the Joint Petition filed in this Cause. Stated otherwise, the continued confidential treatment of this information benefits Indiana utility customers as any competitive advantage lost by Joint Petitioners would ultimately accrue to the detriment of their customers. The Confidential Information continues to satisfy the criteria to be exempt from public disclosure as a trade secret. Joint Petitioners respectfully ask the Commission to allow the Joint Petitioners to cure this error and protect the identified Confidential Information from public disclosure.

Q3. The reason that the capacity positions identified in the HEA 1520 Reports qualify for trade secret protection when such capacity positions are routinely identified publicly in Joint Petitioners' Integrated Resource Plans and in other Commission proceedings (e.g., *Indianapolis Power & Light Co.*, Cause No. 44795 OSS 6, Direct Testimony of David Jackson at pp. 3-4).

A3. The net position made public in the CAP/OSS testimony referenced in *Indianapolis Power & Light Co.*, Cause No. 44795 OSS 6, Direct Testimony of David Jackson at pp. 3-4, is not at a granular enough level, *i.e.*, unit specific, to reveal future capacity purchase and/or sales needs that may be caused by unit retirements. Also, the OSS/CAP position was made public after the 2022-23 Planning Resource Auction and any net purchase positions were made public after bilateral contracts were executed. Furthermore, unforced capacity ("UCAP") figures broken down by individual unit are inherently competitively sensitive. For example, from the perspective of AES Indiana, detailed knowledge of its specific long or short positions in future years disadvantages AES Indiana, and therefore customers, in negotiations to either sell or purchase capacity by making absolutely clear to market participants AES Indiana's specific need. It is harmful to the interests of AES Indiana retail customers to make such detailed analysis public. Other Joint Petitioners may have "long" capacity positions or may have procured or contracted with sufficient resources

to allow them to have less (or no) concern about public disclosure of some of the information others may have redacted. Each Joint Petitioner has a different capacity position and made its own determination of what to seek protection for in light of its individual position. For example, some of the Joint Petitioners have chosen to publicly disclose UCAP figures based upon their own determination that disclosing such information would not put them at a competitive disadvantage or because such information has already been disclosed publicly in another Commission proceeding.

Q4. Whether certain portions of the Confidential Information, such as individual resources and contracts, qualify for trade secret protection when such information is provided publicly to the Commission by other entities (e.g., HEA 1520 Report of Wabash Valley Power Association).

A4. As noted immediately above, not all the companies are similarly situated. Joint Petitioners each have different needs and structures and enter the market at different times. Consequently, views on the sensitivity of this market data may reasonably be expected to vary. Whether a utility considers information regarding its capacity needs, existing resources and contracts, and planned or unplanned outages confidential is highly dependent on the circumstances when that decision is made.

Cause No. 44174 is an example of this.⁶ The Commission's electronic docket for this proceeding shows that not all respondents sought protection of their information but those that did received protection.

For example, Vectren Energy Delivery's submission in this docket on April 26, 2012 explained:

⁶ *In the Matter of the Indiana Utility Regulatory Commission's Request for Electric Utility Responses to Regional Transmission Organization Survey Concerning Generation Compliance Plans with U.S. Environmental Protection Agency Regulations*, Cause No. 44174, 2012 WL 1330431, (IURC 4/11/2012).

Vectren South has undertaken significant environmental projects at its units in order to comply with EPA regulations. As a result, based on current and anticipated EPA regulations, the MISO Survey reflects that Vectren South will not require outages to install additional environmental equipment. Vectren South, therefore, is submitting a copy of its MISO Survey response without a request for confidential treatment. As is true for any survey taken at a point in time, the responses reflect an understanding of regulations and plant operations that could change over time.

Similarly, NIPSCO explained in a public filing on May 4, 2012, in the same docket, that it was not required by MISO to respond to the survey because NIPSCO's IRP indicated it had no plans for early retirement of its coal units at that time. Conversely, other companies, including Duke Energy Indiana, Hoosier Energy Rural Electric Cooperative, Inc., I&M, and Indianapolis Power & Light Company, sought protection of information concerning generating units' availability, derates, curtailments, black start notification, outage duration and/or proposed environmental controls because public release of this information would allow other market participants to discern the times of potential capacity constraints in the RTO region and modify their offer prices, to the detriment of the Indiana utilities and their customers. These requests were granted.

Q5. Whether any of the claimed Confidential Information that satisfies the criteria for trade secret can be provided in another manner that allows for the information required by Ind. Code § 8-1-8.5-13 to be shared in an open and transparent manner in: (1) a Technical Conference with Indiana utilities and regional transmission organizations for purposes of discussing Indiana's electric generating resources, and (2) the Commission's report to the governor and the interim study committee on energy, utilities, and telecommunications so as to afford those entities, as well as the public, with sufficient information to make an informed decision concerning the Commission's analysis on the reliability, availability, and diversity of electric generating resources in Indiana.

A5. Indiana policy on public access recognizes both the importance of public disclosure and the need to protect confidential information. As stated in *Ind. Municipal Power Agency*, Cause No. 45448 (IURC Jan 20, 2021) at 3, the Indiana Access to Public Records Act ("APRA") "provides mandatory and discretionary exemptions from public disclosure for certain categories

of information.” See Ind. Code § 5-14-3-4.

Trade secrets are specifically exempted from public disclosure under Ind. Code § 5-14-3-4(a)(4). Trade secrets are exempted for the reasons explained by Joint Petitioners’ affidavits attached to the Joint Petition in this Cause. Disclosure of such information could harm Joint Petitioners and their customers. Joint Petitioners do not ask the Commission to broaden this category and have shown that such protection comports with governing law.

The statutes governing the Commission also recognize the need to protect confidential information. Ind. Code § 8-1-2-29 provides that the public access to Commission records is “subject to IC 5-14-3.” While the Commission’s procedural rules direct parties to make requests to protect confidential information from public disclosure *before* the information is submitted, failure to do so does not void the requirement in Ind. Code § 8-1-2-29 that records submitted to the Commission are public records unless a statutory exemption applies. Rather, the Commission’s rule enables the orderly receipt and handling of information by the Commission and mitigates the risk that the trade secret will be published. While it is regrettable that the information at issue here was not clearly marked confidential and submitted after a finding of confidentiality, that misstep can and should be remedied as requested by Joint Petitioners, just as the Commission has remedied similar mishaps caused by other parties.

The Commission can and has conducted Technical Conferences using confidentiality procedures. This process can be utilized here. The Confidential Information has been provided via nondisclosure agreement to the Indiana Office of Utility Consumer Counselor, the statutory representative of the public in Commission proceedings. The Confidential Information has also been provided via nondisclosure to Intervenor Citizens Action Coalition of Indiana, Inc. Consequently, these parties could participate in an *in camera* Technical Conference. MISO and

PJM are also able to access their respective member's Confidential Information via nondisclosure requirements. Thus, an *in camera* session regarding each utility could also include that utility's respective RTO.

Ind. Code § 8-1-8.5-13(j), recognizes the data subpart (i) requires utilities to submit to the Commission may be confidential and directs the Commission not to disclose information found to be confidential or a trade secret. Thus, the conduct of an *in camera* Technical Conference comports with this statute.

Similarly, the statutory report the Commission is required to file pursuant to Ind. Code §8-1-8.5-13(p) does not require the publication of utility specific market sensitive data. The statutory language directed to the data, requires a "summary" of projected demand for retail electricity for "Indiana" and the amount and type of resources committed to the projected Indiana demand. Public disclosure of granular utility specific market information is not necessary to provide this summary. Similarly, subpart (p)(1) requires a Commission analysis regarding the "ability of public utilities" to provide service and meet "their" planning reserve margins or other federal reliability requirements. The plural words "utilities" and "their" indicate that aggregated information is sufficient. When these words are considered in light of the language of subpart (p)(2) and the direction in subject (j) to protect confidential or trade secret information, it is even more clear that the statutory reporting requirement is not intended to cause the public release of market sensitive information. It would still be open and transparent to disclose or share the information at a summary level for the state. Characterizing what the net capacity position of the state is relative to forecasted future load obligations is consistent with the way the MISO reports the information at a zonal level.

CONCLUSION

The confidential, competitively sensitive, and trade nature of the market information at issue here has been recognized and understood. The detrimental effect of public disclosure on each Joint Petitioner and consumers is also recognized, understood, and supported by the affidavits filed in this Cause. The inadvertent submission of this information to the Commission prior to an express finding of confidentiality does not extinguish its trade secret status under the circumstances here, particularly given the expeditious efforts of Joint Petitioners to have the confidential material protected. Therefore, the relief sought in the Joint Petition should be granted.

Respectfully submitted on behalf of the Joint
Petitioners,



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ATTORNEY FOR PETITIONER
INDIANAPOLIS POWER & LIGHT COMPANY
D/B/A AES INDIANA

Verification

I, John A. Verderame, Vice President Fuels & Systems Optimization for Duke Energy Progress, LLC, affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Dated this 2nd day of August, 2022

DUKE ENERGY INDIANA, LLC

By: 

John A. Verderame
Duke Energy Progress, LLC

Verification

I, Dona R. Seger-Lawson, Director of Regulatory Services for Indiana Michigan Power Company, affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Dated this __2nd__ day of August, 2022

INDIANA MICHIGAN POWER COMPANY

By:

A handwritten signature in dark ink, appearing to read "Dona R. Seger-Lawson", written over a horizontal line.


Dona R. Seger-Lawson
Indiana Michigan Power Company
Indiana Michigan Power Center
P.O. Box 60
Fort Wayne, Indiana 46801

Verification

I, G. Aaron Cooper, Chief Commercial Officer US Utilities for AES US Services, LLC, affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Dated this __2nd__ day of August, 2022

INDIANAPOLIS POWER & LIGHT COMPANY
D/B/A AES INDIANA

By: 

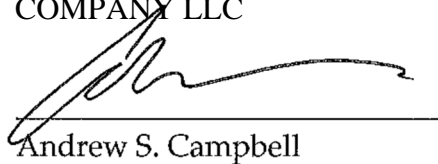
G. Aaron Cooper
Chief Commercial Officer US Utilities
AES US Services, LLC
One Monument Circle
Indianapolis, Indiana 46204

Verification

I, Andrew S. Campbell, Director of Portfolio Planning & Origination for Northern Indiana Public Service Company LLC, affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Dated this 2nd day of August, 2022

NORTHERN INDIANA PUBLIC SERVICE
COMPANY LLC

A handwritten signature in black ink, appearing to read 'A. Campbell', is written over a horizontal line.

Andrew S. Campbell

Northern Indiana Public Service Company
1500 165th Street
Hammond, Indiana 46234

Verification

I, Matthew A. Rice, Director of Indiana Electric Regulatory & Rates for CenterPoint Energy Service Company, affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Dated this 2 day of August, 2022

SOUTHERN INDIANA GAS & ELECTRIC
COMPANY D/B/A CENTERPOINT ENERGY
INDIANA SOUTH

By: 

Matthew A. Rice
CenterPoint Energy Service Company

Exhibit A to Joint Response to IURC Docket Entry
Joint Petitioners' Index of Confidentiality Designations
Planning Years 22-23

	Owned Resource	ICAP	Summer ICAP	Summer UCAP	Winter ICAP	Winter UCAP	Location	Fuel
AES Indiana		Non-confidential	N/A	Non-confidential	N/A	Non-confidential	Non-confidential	Non-confidential
Duke		Non-confidential	Non-confidential	Confidential	Non-confidential	Confidential	Non-confidential	Non-confidential
CEI South		Non-confidential	N/A	Non-confidential	N/A	Non-confidential	Non-confidential	Non-confidential
I&M		Non-confidential	N/A	Confidential	N/A	Confidential	Non-confidential	Non-confidential
NIPSCO		Non-confidential	N/A	Non-confidential	N/A	Non-confidential	Non-confidential	Non-confidential
	ZRC Transactions	ICAP	Summer ICAP	Summer UCAP	Winter ICAP	Winter UCAP	Location	Fuel
AES Indiana		Non-confidential	N/A	Non-confidential	N/A	Non-confidential	Non-confidential	Non-confidential
Duke		Non-confidential	Non-confidential	Confidential	Non-confidential	Confidential	Non-confidential	Non-confidential
CEI South		Non-confidential	N/A	Non-confidential	N/A	Non-confidential	Non-confidential	Non-confidential
I&M		Non-confidential	N/A	Confidential	N/A	Confidential	Non-confidential	Non-confidential
NIPSCO								
	DR Resource	Summer UCAP	Winter UCAP	Comments				
AES Indiana		Non-confidential	Non-confidential	Non-confidential				
Duke		Non-confidential	Non-confidential	Non-confidential				
CEI South		Non-confidential	Non-confidential	Non-confidential				
I&M		Confidential	Confidential					
NIPSCO		Non-confidential	Non-confidential					
	RTO PRMR	Summer Demand	Winter Demand					
AES Indiana		Non-confidential	Non-confidential					
Duke		Non-confidential	Non-confidential					
CEI South		Non-confidential	Non-confidential					
I&M		Confidential	Confidential					
NIPSCO		Non-confidential	Non-confidential					
	RA Metric	Summer	Winter					
AES Indiana		Non-confidential	Non-confidential					
Duke		Non-confidential	Non-confidential					
CEI South		Non-confidential	Non-confidential					
I&M		Confidential	N/A					
NIPSCO		Non-confidential	Non-confidential					

Exhibit A to Joint Response to IURC Docket Entry
Joint Petitioners' Index of Confidentiality Designations
Planning Years 23-24

	Owned Resource	ICAP	Summer ICAP	Summer UCAP	Winter ICAP	Winter UCAP	Location	Fuel
AES Indiana		Non-confidential	N/A	Confidential	N/A	Confidential	Non-confidential	Non-confidential
Duke		Non-confidential	Non-confidential	Confidential	Non-confidential	Confidential	Non-confidential	Non-confidential
CEI South		Non-confidential	N/A	Non-confidential	N/A	Non-confidential	Non-confidential	Non-confidential
I&M		Non-confidential	N/A	Confidential	N/A	Confidential	Non-confidential	Non-confidential
NIPSCO		Non-confidential	N/A	Non-confidential	N/A	Non-confidential	Non-confidential	Non-confidential
	ZRC Transactions	ICAP	Summer ICAP	Summer UCAP	Winter ICAP	Winter UCAP	Location	Fuel
AES Indiana		Non-confidential	N/A	Confidential	N/A	Confidential	Non-confidential	Non-confidential
Duke		Non-confidential	Non-confidential	Confidential	Non-confidential	Confidential	Non-confidential	Non-confidential
CEI South		Confidential	N/A	Confidential	N/A	Confidential	Confidential	Confidential
I&M		Non-confidential	N/A	Confidential	N/A	Confidential	Non-confidential	Non-confidential
NIPSCO		Non-confidential	N/A	Confidential	N/A	Confidential	Non-confidential	Non-confidential
	DR Resource	Summer UCAP	Winter UCAP	Comments				
AES Indiana		Confidential	Confidential	Non-confidential				
Duke		Confidential	Confidential	Non-confidential				
CEI South		Non-confidential	Non-confidential	Non-confidential				
I&M		Confidential	Confidential	N/A				
NIPSCO		Non-confidential	Non-confidential	Non-confidential				
	RTO PRMR	Summer Demand	Winter Demand					
AES Indiana		Confidential	Confidential					
Duke		Confidential	Confidential					
CEI South		Non-confidential	Non-confidential					
I&M		Confidential	Confidential					
NIPSCO		Non-confidential	Non-confidential					
	RA Metric	Summer	Winter					
AES Indiana		Confidential	Confidential					
Duke		Confidential	Confidential					
CEI South		Non-confidential	Non-confidential					
I&M		Confidential	Confidential					
NIPSCO		Confidential	Confidential					

Exhibit A to Joint Response to IURC Docket Entry
Joint Petitioners' Index of Confidentiality Designations
Planning Years 24-25

	Owned Resource	ICAP	Summer ICAP	Summer UCAP	Winter ICAP	Winter UCAP	Location	Fuel
AES Indiana		Non-confidential	N/A	Confidential	N/A	Confidential	Non-confidential	Non-confidential
Duke		Non-confidential	Non-confidential	Confidential	Non-confidential	Confidential	Non-confidential	Non-confidential
CEI South		Non-confidential	N/A	Non-confidential	N/A	Non-confidential	Non-confidential	Non-confidential
I&M		Non-confidential	N/A	Confidential	N/A	Confidential	Non-confidential	Non-confidential
NIPSCO		Non-confidential	N/A	Non-confidential	N/A	Non-confidential	Non-confidential	Non-confidential
	ZRC Transactions	ICAP	Summer ICAP	Summer UCAP	Winter ICAP	Winter UCAP	Location	Fuel
AES Indiana		Non-confidential	N/A	Confidential	N/A	Confidential	Non-confidential	Non-confidential
Duke		Non-confidential	Non-confidential	Confidential	Non-confidential	Confidential	Non-confidential	Non-confidential
CEI South		Confidential	N/A	Confidential	N/A	Confidential	Confidential	Confidential
I&M		Non-confidential	N/A	Confidential	N/A	Confidential	Non-confidential	Non-confidential
NIPSCO		Non-confidential	Non-confidential	Non-confidential	N/A	Non-confidential	Non-confidential	Non-confidential
	DR Resource	Summer UCAP	Winter UCAP	Comments				
AES Indiana		Confidential	Confidential	Non-confidential				
Duke		Confidential	Confidential	Non-confidential				
CEI South		Non-confidential	Non-confidential	Non-confidential				
I&M		Confidential	Confidential	N/A				
NIPSCO		Non-confidential	Non-confidential	Non-confidential				
	RTO PRMR	Summer Demand	Winter Demand					
AES Indiana		Confidential	Confidential					
Duke		Confidential	Confidential					
CEI South		Non-confidential	Non-confidential					
I&M		Non-confidential	Non-confidential					
NIPSCO		Non-confidential	Non-confidential					
	RA Metric	Summer	Winter					
AES Indiana		Confidential	Confidential					
Duke		Confidential	Confidential					
CEI South		Non-confidential	Non-confidential					
I&M		Confidential	Confidential					
NIPSCO		Confidential	Confidential					

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served this 2nd day of August, 2022, by email transmission to:

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