

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF DUKE ENERGY INDIANA, LLC)
FOR APPROVAL OF A TARIFF RATE FOR)
THE PROCUREMENT OF EXCESS) CAUSE NO. 45508
DISTRIBUTED GENERATION PURSUANT TO)
INDIANA CODE 8-1-40 ET SEQ.)

VERIFIED PETITION

Duke Energy Indiana, LLC (“Duke Energy Indiana” or “Petitioner”) petitions the Indiana Utility Regulatory Commission (“Commission”) for approval of a tariff rate for the procurement of excess distributed generation (“Rider EDG”) pursuant to Indiana Code 8-1-40 et seq.

1. **Duke Energy Indiana’s Corporate and Regulated Status.** Petitioner is an Indiana corporation with its principal office in the Town of Plainfield, Hendricks County, Indiana. Duke Energy Indiana’s mailing and business address is 1000 East Main Street, Plainfield, Indiana 46168. Duke Energy Indiana has the corporate power and authority, among others, to engage, and it is engaged, in the business of supplying electric utility service to the public in the State of Indiana. Accordingly, Duke Energy Indiana is a “public utility” and an “electricity supplier” within the meaning of those terms as used in the Indiana Public Service Commission Act, as amended, and is subject to the jurisdiction of the Commission in the manner and to the extent provided by the laws of the State of Indiana.

2. **Duke Energy Indiana’s Electric Utility Service.** Petitioner owns, operates, manages and controls plants, properties and equipment used and useful for the production, transmission, distribution and furnishing of electric utility service to the public in the State of Indiana. Duke Energy Indiana directly supplies electric energy to over 858,000 customers located in 69 counties in the central, north central and southern parts of the State of Indiana. Duke Energy Indiana also sells electric energy for resale to Wabash Valley Power Association, Inc., Indiana

Municipal Power Agency and to other utilities which in turn supply electric utility service to numerous customers in areas not served directly by Duke Energy Indiana. In addition, Duke Energy Indiana provides steam service to an industrial customer whose manufacturing facility is located adjacent to Duke Energy Indiana's Cayuga Generating Station.

3. **Background.** Indiana Code 8-1-40 et seq. (the "Distributed Generation Statute") establishes the regime under which Petitioner, Duke Energy Indiana, procures electricity supplied by customers with qualifying distributed generation resources and offsets the cost of the electricity supplied to such customers. The Distributed Generation Statute requires that an electricity provider (such as Duke Energy Indiana) shall file with the Commission a petition requesting a rate for the procurement of excess distributed generation by the electricity supplier. Indiana Code § 8-1-40-16. After approval by the Commission, the electricity supplier shall submit on an annual basis, not later than March 1 of each year, an updated rate for excess distributed generation in accordance with Indiana Code § 8-1-40-17.

4. As of December 31, 2020, Duke Energy Indiana has approximately 13,925.01 kilowatts (kW) of net metering capacity remaining (based on a summer peak in 2020 of 5,091,000 kW and 62,439.99 kW of net metering resources in operation).

5. Duke Energy Indiana does not have any participants for Biomass installations, nor has Duke Energy Indiana received any applications for Biomass installations for review.

6. The procedure under which public utilities may request a rate for the procurement of excess distributed generation is governed by Indiana Code § 8-1-40-16 and requires Duke Energy Indiana to petition the Commission by March 1, 2021 for approval of such rate.

7. Duke Energy Indiana's proposed Rider EDG establishes a rate for the procurement of excess distributed generation that is consistent with Indiana Code § 8-1-40-17, which states in

part that the Commission shall review a petition filed under Indiana Code § 8-1-40-16 and, after notice and public hearing:

“...approve a rate to be credited to participating customers by the electricity supplier for excess distributed generation if the commission finds that the rate requested by the electricity supplier was accurately calculated and equals the product of:

(1) the average marginal price of electricity paid by the electricity supplier during the most recent calendar year; multiplied by

(2) one and twenty-five hundredths (1.25).”

8. Pursuant to Indiana Code § 8-1-40-18, compensation to the Rider EDG customer shall take the form of credit on the customer’s monthly bill and any excess credit shall be carried forward and applied against future charges to the customer for as long as the customer receives electric service from the electricity supplier at the premises.

9. **Relief Sought by Duke Energy Indiana.** In accordance with Indiana Code § 8-1-40-16, Duke Energy Indiana petitions the Commission for approval of its Rider EDG for the procurement of excess distributed generation.

10. Any applications received and approved while Duke Energy Indiana has remaining net metering capacity, as defined in Indiana Code § 8-1-40-12, will remain eligible for and be compensated under the terms of Duke Energy Indiana’s Net Metering tariff (Standard Contract Rider 57) through July 1, 2032, assuming the customer’s net metering facility is not removed or replaced, in accordance with Indiana Code § 8-1-40-13. In the event Duke Energy Indiana reaches the net metering capacity as defined in the Distribution Generation Statute, Indiana Code § 8-1-40-10(1) states that Net Metering will remain available for new customers until January 1 of the first calendar year after the net metering capacity is reached or July 31, 2022, whichever is earlier.

Duke Energy Indiana presently anticipates that its Net Metering tariff will remain in effect until July 31, 2022.

11. **Applicable Law.** Duke Energy Indiana considers the provisions of the Public Service Commission Act, as amended, including Indiana Code 8-1-40 et seq., among others, and 170 IAC 4-4.2 et seq. to be applicable to the subject matter of this proceeding and believes that such statutes and regulations provide the Commission authority to approve the requested relief.

12. **Petitioner’s Counsel.** Petitioner’s counsel of record, duly authorized to accept service of papers in this Cause are:

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13. **Proposed Procedural Schedule.** Pursuant to 170 IAC 1-1.1-9, Petitioner hereby provides notice to this Commission that the Parties reasonably anticipated to participate in this proceeding, Duke Energy Indiana and the Office of Utility Consumer Counselor (“OUCC”), are in agreement with the following Proposed Procedural Schedule:

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|---------------------------|--|
| March 1, 2021: | The date the Company is filing this Verified Petition with the Commission. |
| May 27, 2021: | The latest date by which the Company shall prefile its Testimony and Exhibits supporting this Verified Petition (and provide the OUCC with its applicable Workpapers). |
| September 9, 2021: | The latest date by which the OUCC or any Intervenor shall prefile its Testimony and Exhibits concerning this Verified Petition. |

- September 30, 2021:** The latest date by which the Company shall prefile its Rebuttal Testimony and Exhibits.
- October 25-29, 2021:** The week in which the Company requests that the evidentiary hearing concerning this Verified Petition be held.
- June 29, 2022:** The end target date by which the Company requests the issuance of the Commission's Final Order concerning this Verified Petition.

WHEREFORE, Duke Energy Indiana, LLC respectfully requests that the Commission promptly publish notice, make such investigation and hold hearings as are necessary or advisable, and thereafter, make and enter appropriate orders in this Cause:

- (a) approving a rate for the procurement of excess distributed generation, in accordance with Indiana Code §§ 8-1-40-16 and -17;
- (b) approving proposed Rider EDG; and
- (c) granting all other appropriate relief.

Dated: March 1, 2021

Respectfully submitted,

DUKE ENERGY INDIANA, LLC



By: _____
Counsel for Petitioner

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VERIFICATION

I, Roger A. Flick, II, Rates and Regulatory Strategy Manager for Duke Energy Business Services, LLC, a service company affiliate of Duke Energy Indiana, LLC, affirm under the penalties of perjury that the statements and representations in the foregoing Verified Petition are true to the best of my knowledge, information and belief.

Dated: 03/01/2021



Roger A. Flick, II
Rates and Regulatory Strategy Manager
Duke Energy Business Services LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Verified Petition was electronically delivered this 1st day of March, 2021.

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