

OFFICIAL EXHIBITS

STATE OF INDIANA

FILED
July 6, 2022
INDIANA UTILITY
REGULATORY COMMISSION

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)
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)

CAUSE NO. 45744

IURC
JOINT PETITIONERS'

EXHIBIT NO. 1

8-3-22 AT
DATE REPORTER

VERIFIED JOINT PETITION

Joint Petitioners Duke Energy Indiana, LLC (“Duke Energy Indiana”), Indiana Michigan Power Company (“I&M”), Indianapolis Power & Light Company d/b/a AES Indiana (“AES Indiana”), Northern Indiana Public Service Company, LLC (“NIPSCO”), Southern Indiana Gas & Electric Company d/b/a CenterPoint Energy Indiana South (“CenterPoint”) (collectively “Joint Petitioners”) respectfully petition the Indiana Utility Regulatory Commission (“Commission”) to find, on an emergency and expedited basis, that certain information submitted by Joint Petitioners in compliance with House Enrolled Act 1520 (Indiana Code § 8-1-8.5-13) is confidential, proprietary, competitively sensitive and/or trade secret exempt from public disclosure under Ind. Code § 8-1-2-29 and Ind. Code § 5-14-3-4 and should be treated as confidential by all parties and the Commission and its Staff. More specifically, Joint Petitioners request that the Commission treat such information confidentially and refrain from posting such information publicly, sharing such information with any entities (including other Joint Petitioners), including such information

in public Commission reports and summaries, including reports to the Indiana General Assembly, and discussing or presenting such information in evidentiary hearings, technical conferences, or presentations before the Commission.

In support hereof, Joint Petitioners show the Commission:

1. Joint Petitioners' Corporate and Regulated Status and Operations.

a. Joint Petitioner Duke Energy Indiana is an Indiana limited liability corporation with its principal office in the Town of Plainfield, Hendricks County, Indiana. Its address is 1000 East Main Street, Plainfield, Indiana 46168. It 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” within the meaning of that term as used in the Indiana Public Service Commission Act, as amended, I.C. § 8-1-2-1, 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, including I.C. § 8-1-2-1 *et seq.* Duke Energy Indiana is a wholly-owned subsidiary of Duke Energy Indiana Holdco, LLC (of which Duke Energy Corp. is the majority owner). Duke Energy Indiana directly supplies electric energy throughout its 23,000-square mile service area to approximately 870,000 customers located in 69 counties in the central, north central, and southern parts of the State of Indiana, and supplies steam service to two customers. Duke Energy Indiana also sells electric energy for resale to Wabash Valley Power Association, Inc. (“WVPA”), Indiana Municipal Power Agency (“IMPA”), Hoosier Energy Rural Electric Cooperative, Inc. (“Hoosier Energy”), and to other public utilities that in turn supply electric utility service to numerous customers in areas not served directly by Duke Energy Indiana.

b. Joint Petitioner I&M, a wholly-owned subsidiary of American Electric Power Company, Inc. (“AEP”), is a corporation organized and existing under the laws of the State of Indiana, with its principal offices at Indiana Michigan Power Center, Fort Wayne, Indiana. I&M is engaged in, among other things, rendering electric service in the States of Indiana and Michigan. I&M owns and operates plant and equipment within the States of Indiana and Michigan that are in service and used and useful in the generation, transmission, distribution and furnishing of such service to the public. I&M has maintained and continues to maintain its properties in an adequate state of operating condition. I&M supplies electric service to approximately 468,000 retail customers in northern and east-central Indiana and 131,000 retail customers in southwestern Michigan, within a service area covering approximately 4,573 square miles. In Indiana, I&M provides retail electric service to the following counties: Adams, Allen, Blackford, DeKalb, Delaware, Elkhart, Grant, Hamilton, Henry, Howard, Huntington, Jay, LaPorte, Madison, Marshall, Miami, Noble, Randolph, St. Joseph, Steuben, Tipton, Wabash, Wells and Whitley. In addition, I&M serves customers at wholesale in the States of Indiana and Michigan. I&M’s electric system is an integrated and interconnected entity that is operated within Indiana and Michigan as a single utility. I&M is a “public utility” under Ind. Code § 8-1-2-1 and is subject to the jurisdiction of this Commission in the manner and to the extent provided by the Public Service Commission Act, as amended, and other pertinent laws of the State of Indiana. I&M is also subject to the jurisdiction of the Michigan Public Service Commission and the Federal Energy Regulatory Commission (“FERC”) as to electric service provided by I&M to retail customers in Michigan and to wholesale customers, respectively.

c. Joint Petitioner AES Indiana is a public utility corporation organized and existing under the laws of the State of Indiana with its principal office and place of business at One Monument Circle, Indianapolis, Indiana 46204. AES Indiana is engaged in rendering electric utility service in the State of Indiana. AES Indiana provides retail electric utility service to more than 500,000 retail customers located principally in and near the City of Indianapolis, Indiana, and in portions of the following Indiana counties: Boone, Hamilton, Hancock, Hendricks, Johnson, Marion, Morgan, Owen, Putnam and Shelby Counties. AES Indiana is a “public utility” within the meaning of Ind. Code § 8-1-2-1 and is subject to the jurisdiction of the Commission in the manner and to the extent provided by the Public Service Commission Act, as amended, and other pertinent laws of the State of Indiana.

d. Joint Petitioner NIPSCO is a limited liability company organized and existing under the laws of the State of Indiana with its principal office and place of business at 801 East 86th Avenue, Merrillville, Indiana. NIPSCO is a wholly-owned subsidiary of NiSource Inc., an energy holding company whose stock is listed on the New York Stock Exchange. NIPSCO is a “public utility” within the meaning of Ind. Code §8-1-2-1 and is subject to the jurisdiction of this Commission in the manner and to the extent provided by the Public Service Commission Act, as amended, and other pertinent laws of the State of Indiana. NIPSCO is authorized by the Commission to provide electric utility service to the public in all or part of Benton, Carroll, DeKalb, Elkhart, Fulton, Jasper, Kosciusko, LaGrange, Lake, LaPorte, Marshall, Newton, Noble, Porter, Pulaski, Saint Joseph, Starke, Steuben, Warren and White Counties in northern Indiana. NIPSCO is also authorized by the Commission to provide natural gas utility service to the public in all or part of Adams,

Allen, Benton, Carroll, Cass, Clinton, DeKalb, Elkhart, Fulton, Howard, Huntington, Jasper, Kosciusko, LaGrange, Lake, LaPorte, Marshall, Miami, Newton, Noble, Porter, Pulaski, St. Joseph, Starke, Steuben, Tippecanoe, Tipton, Wabash, Warren, Wells, White and Whitley Counties in northern Indiana. NIPSCO provides electric utility service to more than 475,000 residential, commercial, and industrial customers. NIPSCO provides gas utility service to more than 819,000 residential, commercial and industrial customers.

e. Joint Petitioner CenterPoint is an operating public utility incorporated under the laws of the State of Indiana. CenterPoint has its principal office at One CenterPoint Square, Evansville, Indiana 47708. CenterPoint is a “public utility,” an “electricity supplier” and a “gas utility” within the meaning of those terms in Ind. Code §§ 8-1-2-1(a), 8-1-2.3-2 and 8-1-2-87 and is subject to the jurisdiction of this Commission in the manner and to the extent provided by the laws of the State of Indiana. CenterPoint has charter power and authority to engage in, and is engaged in, the business of rendering electric and gas distribution service within the State of Indiana under indeterminate permits, franchises, and necessity certificates heretofore duly acquired. CenterPoint owns, operates, manages, and controls, among other things, plant, property, equipment, and facilities which are used and useful for the production, storage, transmission, distribution, and furnishing of electric utility service to approximately 150,000 customers and gas utility service to approximately 114,000 customers in southwestern Indiana.

2. House Enrolled Act 1520. In 2021, the Indiana General Assembly passed (and the Governor signed into law) House Bill 1520, codified as Indiana Code § 8-1-8.5-13 (“HEA 1520”). Among other things, HEA 1520 requires the following:

Not later than thirty (30) days after the deadline for submitting an annual planning reserve margin report to MISO, each public utility providing electric service to

Indiana customers shall, regardless of whether the public utility is required to submit an annual planning reserve margin report to MISO, file with the commission a report, in a form specified by the commission, that provides the following information for each of the next three (3) resource planning years, beginning with the planning year covered by the planning reserve margin report to MISO described in this subsection:

- (1) The:*
 - (A) capacity;*
 - (B) location; and*
 - (C) fuel source;*

for each electric generating facility that is owned and operated by the electric utility and that will be used to provide electric service to Indiana customers.

(2) The amount of generating resource capacity or energy, or both, that the public utility has procured under contract and that will be used to provide electric service to Indiana customers, including the:

- (A) capacity;*
- (B) location; and*
- (C) fuel source;*

for each electric generating facility that will supply capacity or energy under the contract, to the extent known by the public utility.

(3) The amount of demand response resources available to the public utility under contracts and tariffs.

(4) The following:

(A) The planning reserve margin requirements established by MISO for the planning years covered by the report, to the extent known by the public utility with respect to any particular planning year covered by the report.

(B) If applicable, any other planning reserve margin requirement that:

- (i) applies to the planning years covered by the report; and*
- (ii) the public utility is obligated to meet in accordance with the public utility's membership in an appropriate regional transmission organization; to the extent known by the public utility with respect to any particular planning year covered by the report.*

(C) Other federal reliability requirements that the public utility is obligated to meet in accordance with its membership in an appropriate regional transmission organization with respect to the planning years covered by the

report, to the extent known by the public utility with respect to any particular planning year covered by the report.

For each planning reserve margin requirement reported under clause (A) or (B), the public utility shall include a comparison of that planning reserve margin requirement to the planning reserve margin requirement established by the same regional transmission organization for the 2021-2022 planning year.

(5) The reliability adequacy metrics of the public utility, as forecasted for the three (3) planning years covered by the report.

3. Joint Petitioners' Submission of HB 1520 Reports Including Confidential

Information. On or about April 15, 2022, each Joint Petitioner submitted to the Commission its "HB 1520" report, in compliance with HEA 1520 (Ind. Code § 8-1-8.5-13). Each Joint Petitioner's HB 1520 report contains confidential, proprietary, competitively sensitive information – specifically, forecasts of each Joint Petitioner's aggregate demand, aggregate and individual resources and contracts, and capacity positions. Although the capability of owned generating resources (individually and in aggregate) is typically disclosed publicly, such as in Integrated Resource Planning documents, identification of the size and number of contracts with third parties and the size of overall capacity positions has not been publicly disclosed. This information is confidential, proprietary, and competitively sensitive for the following reasons. Disclosure of a Joint Petitioner's projected demand, resources, and capacity position would have the effect of disclosing a Joint Petitioner's volumetric need and timing of such need for resources, which could compromise each Joint Petitioner's efforts to acquire resources in the most cost-effective manner for its customers. Disclosure of this information would effectively give entities with which a Joint Petitioner may negotiate for resources an unfair advantage in negotiations, which could result in higher prices for a Joint Petitioner and its customers. The Confidential Information is not available or ascertainable by third parties through normal or proper means. Each Joint Petitioner has maintained the confidentiality of the Confidential Information by taking all reasonable steps in

order to protect the Confidential Information, including sharing such information internally on a “need to know” basis. The Confidential Information derives actual and potential independent economic value from being neither generally known to nor readily ascertainable by, persons who could obtain economic value from its disclosure or use. Public disclosure of the Confidential Information could cause substantial detriment to Joint Petitioners and its customers. Attached affidavits from each Joint Petitioner, attached hereto, support the confidential, proprietary, competitively-sensitive nature of the information, as well as the need for confidential treatment of such information.

4. Relief Requested. Joint Petitioners respectfully request the Commission to find, on an emergency expedited basis, that certain information submitted by Joint Petitioners in compliance with House Enrolled Act 1520 (Indiana Code § 8-1-8.5-13) is confidential, proprietary, competitively sensitive and/or trade secret exempt from public disclosure under Ind. Code § 8-1-2-29 and Ind. Code § 5-14-3-4 and should be treated as confidential by all parties and the Commission and its Staff. More specifically, Joint Petitioners request that the Commission treat such information confidentially and refrain from posting such information publicly, sharing such information with any entities (including other Joint Petitioners), including such information in public Commission reports and summaries, including reports to the Indiana General Assembly, and discussing or presenting such information in evidentiary hearings, technical conferences or presentations before the Commission. Joint Petitioners respectfully request that the Commission grant this relief on an emergency and expedited basis, due to the near-term deadlines for submitting information to the Commission and the upcoming technical conference on this topic.

5. **Applicable Law.** Joint Petitioners consider that the following Indiana statutes and rules are, or may be applicable to this proceeding: Ind. Code §§ 8-1-8.5-13, 8-1-2-29, 5-14-3-4, and 8-1-2-113, and 170 IAC 1-1.1-4.

6. **Joint Petitioners' Counsel.** Joint Petitioners' duly authorized representatives to whom all correspondence and communications in this Cause should be sent are:

For Duke Energy Indiana:

Liane K. Steffes, Atty. No. 31522-41
Duke Energy Business Services LLC
1000 East Main Street
Plainfield, Indiana 46168
Telephone: (317) 838-1254
Facsimile: (317) 838-1842
Email: liane.steffes@duke-energy.com

For CenterPoint:

Jason Stephenson (No. 21839-49)
Heather Watts (No. 35482-82)
CenterPoint Energy, Inc.
211 N.W. Riverside Drive
Evansville, Indiana 47708
Stephenson Telephone: (812) 491-4231
Watts Telephone: (812) 491-5119
Email: Jason.Stephenson@centerpointenergy.com
Email: Heather.Watts@centerpointenergy.com

For I&M:

Tammara D. Avant (No. 31466-49)
Indiana Michigan Power Company
Indiana Michigan Power Center
P.O. Box 60
Fort Wayne, Indiana 46801
Telephone: (317) 508-0644
Email: tdavant@aep.com

For AES Indiana:

Teresa Morton Nyhart (Atty. No. 14044-49)
Barnes & Thornburg LLP
11 South Meridian Street
Indianapolis, Indiana 46204
Phone: (317) 231-7716
Fax: (317) 231-7433
Email: tnyhart@btlaw.com

For NIPSCO:

Bryan M. Likins (No. 29996-49)
NiSource Corporate Services – Legal
150 West Market Street, Suite 600
Indianapolis, Indiana 46204
Telephone: (317) 684-4922
Facsimile: (317) 684-4918
Email: blikins@nisource.com

WHEREFORE, Joint Petitioners request that the Commission expeditiously and on an emergency basis issue an order authorizing the confidential treatment of information relating to each Joint Petitioner's projected demand, resources, and capacity positions, as contained in each Joint Petitioner's HB 1520 reports submitted or to be submitted to the Commission. Joint Petitioners further request that the Commission establish procedures to ensure that such confidential information is not shared publicly in Commission reports or summaries, or in discussions in evidentiary hearings, technical conferences, or Commission presentations. Joint Petitioners further request that the Commission make such further orders and provide such further relief to Joint Petitioners as may be appropriate.

[Signatures to Follow]

Dated this 6th day of July, 2022

NORTHERN INDIANA PUBLIC SERVICE
COMPANY, LLC

By: /s/ Bryan M. Likins

Bryan M. Likins (No. 29996-49)
NiSource Corporate Services – Legal
150 West Market Street, Suite 600
Indianapolis, Indiana 46204
Telephone: (317) 684-4922
Facsimile: (317) 684-4918
Email: BLikins@nisource.com

Dated this 6th day of July, 2022

DUKE ENERGY INDIANA, LLC

By: /s/ Liane K. Steffes

Liane K. Steffes, Associate General Counsel

Duke Energy Business Services LLC

liane.steffes@duke-energy.com

Dated this 6th day of July, 2022

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

By: /s/ Heather Watts _____
Heather Watts (No. 35482-82)
CenterPoint Energy, Inc.

Dated this 5th day of July, 2022

INDIANA MICHIGAN POWER COMPANY

By: Tammara D Avant
Tammara D. Avant (No. 31466-49)
Indiana Michigan Power Company
Indiana Michigan Power Center
P.O. Box 60
Fort Wayne, Indiana 46801
Telephone: (317) 508-0644
Email: tdavant@aep.com

Dated this 6th day of July, 2022

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

By: /s/ Nicholas Grimmer

Nicholas Grimmer, (No. 19366-49)

Indiana Regulatory Counsel

AES Indiana

One Monument Circle

Indianapolis, Indiana 46204

Telephone: (317) 261-8856

Email: nick.grimmer@aes.com

STATE OF INDIANA)
) SS
COUNTY OF LAKE)

AFFIDAVIT OF ANDREW S. CAMPBELL
DIRECTOR OF PORTFOLIO PLANNING & ORIGATION
NORTHERN INDIANA PUBLIC SERVICE COMPANY LLC
IN SUPPORT OF JOINT PETITIONERS' PETITION FOR CONFIDENTIAL TREATMENT

COMES NOW Andrew S. Campbell, being duly sworn, deposes and says:

1. My name is Andrew S. Campbell. I am employed by Northern Indiana Public Service Company LLC ("NIPSCO") as Director of Portfolio Planning & Origination. My business address is 1500 165th Street, Hammond, Indiana 46234.

2. I graduated from Purdue University Calumet with a Bachelor of Science in Mechanical Engineering and graduate studies in Interdisciplinary Engineering. Additionally, I graduated with a Master of Business Administration from the University of Notre Dame. I began my employment with NIPSCO in June of 2009 as an Operations Analysis Engineer. In September of 2011, I was promoted to the Manager of Operations & Market Support and in May of 2013, assumed the role of Manager of Planning & Regulatory Support. In September of 2017, I was promoted to my current role as Director of Regulatory Support & Planning, which was subsequently updated to my current title of Director of Portfolio Planning & Origination. Prior to joining NIPSCO, I worked as an engineer for an industrial manufacturing company that specialized in engine attachments for marine and small power generation applications. I am also a veteran of the Army National Guard. As the Director of Portfolio Planning & Origination, I am responsible for leading the regulatory support and financial planning functions for the Energy Supply & Optimization ("ES&O") department within NIPSCO, whereby my team supports NIPSCO's operations within the electric and natural gas markets. More specifically, my team is responsible for leading all commercial market support for electric and natural gas rate case related activities for the ES&O department, management of Midcontinent Independent System Operator, Inc. ("MISO") meter data, MISO market and bilateral settlements, MISO asset registration and resource adequacy, supporting the forecast and reconciliation of NIPSCO's Fuel Adjustment Clause ("FAC"), Regional Transmission Organization Adjustment, Resource Adequacy Adjustment, Green Power Rider, Gas Cost Adjustment, leading the development of NIPSCO's natural gas and electric hedging programs, and supporting NIPSCO's financial and business planning cadence. I am also responsible for leading the commercial execution of NIPSCO's generation strategy outlined within its Integrated Resource Plan.

3. This Affidavit is being filed with the Indiana Utility Regulatory Commission ("IURC" or "Commission") in support of the Verified Petition being filed contemporaneously by Joint Petitioners including NIPSCO.

4. I have personal knowledge about the report submitted to the Indiana Utility Regulatory Commission by NIPSCO in compliance with Ind. Code § 8-1-8.5-13, and other matters discussed in the accompanying Petition and in this Affidavit.

5. On or about April 15, 2022, each Joint Petitioner submitted to the Commission its "HB 1520" report, in compliance with HEA 1520 (Ind. Code § 8-1-8.5-13).

6. Each Joint Petitioner's HB 1520 report contains confidential, proprietary, competitively sensitive information – specifically, forecasts of each Joint Petitioner's aggregate demand, aggregate and individual resources and contracts, and capacity positions. Although the capability of owned generating resources (individually and in aggregate) is typically disclosed publicly, such as in Integrated Resource Planning documents, identification of the size and number of contracts with third parties and the size of overall capacity positions has not been publicly disclosed.

7. This information is confidential, proprietary, and competitively sensitive for the following reasons. Disclosure of a Joint Petitioner's projected demand, resources, and capacity position would have the effect of disclosing a Joint Petitioner's volumetric need and timing of such need for resources, which could compromise each Joint Petitioner's efforts to acquire resources in the most cost-effective manner for its customers. Disclosure of this information would effectively give entities with which a Joint Petitioner may negotiate for resources an unfair advantage in negotiations, which could result in higher prices for a Joint Petitioner and its customers.

8. The Confidential Information is not available or ascertainable by third parties through normal or proper means. Each Joint Petitioner has maintained the confidentiality of the Confidential Information by taking all reasonable steps in order to protect the Confidential Information, including sharing such information internally on a "need to know" basis. The Confidential Information derives actual and potential independent economic value from being neither generally known to nor readily ascertainable by, persons who could obtain economic value from its disclosure or use. Public disclosure of the Confidential Information could cause substantial detriment to Joint Petitioners and its customers.

Further Affiant sayeth not.

I hereby verify under the penalties of perjury that the foregoing representations are true to the best of my knowledge, information and belief.

Signed:

A handwritten signature in dark ink, consisting of a stylized 'A' followed by a horizontal line.

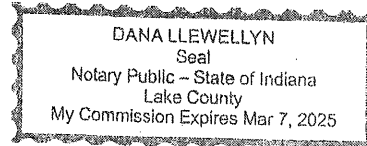
Dated: July 5, 2022

The preceding Affidavit of Andrew S. Campbell was subscribed and sworn before me this 5th
day of July, 2022.

Dana Llewellyn
Notary Public

My Commission Expires 3/7/2025

My County of Residence LAKE



[illegible]

AFFIDAVIT OF JOHN A. VERDERAME
VICE PRESIDENT FUELS & SYSTEMS OPTIMIZATION
DUKE ENERGY PROGRESS, LLC ON BEHALF OF DUKE ENERGY INDIANA, LLC
IN SUPPORT OF JOINT PETITIONERS' PETITION FOR CONFIDENTIAL TREATMENT

COMES NOW John A. Verderame, being duly sworn, deposes and says:

1. My name is John A. Verderame. I am employed by Duke Energy Progress, LLC as Vice President Fuels & Systems Optimization. My business address is 526 South Church Street, Charlotte, North Carolina. Duke Energy Progress, LLC is the utility formerly known as Progress Energy Inc. (Progress Energy) located in North and South Carolina. As part of the merger integration process, Duke Energy Progress now provides various administrative and other services to the regulated companies within Duke Energy Corporation, including Duke Energy Indiana, LLC (Duke Energy Indiana).

2. I received a Bachelor of Arts degree in Economics from the University of Rochester in 1983, and a Master's in Business Administration in Finance from Rutgers University in 1985. I have worked in the energy industry for 20 years. Prior to that, from 1986 to 2001, I was a Vice President in the United States (US) Government Bond Trading Groups at the Chase Manhattan Bank and Cantor Fitzgerald. My responsibilities as a US Government Securities Trader included acting as the Firm's market maker in US Government Treasury securities. I joined Progress Energy, in 2001, as a Real-Time Energy Trader. My responsibilities as a Real-Time Energy Trader included managing the real-time energy position of the Progress Energy regulated utilities. In 2005, I was promoted to Manager of the Power Trading group. My role as manager included responsibility for the short-term capacity and energy position of the Progress Energy regulated utilities in the Carolinas and Florida. In 2012, upon consummation of the merger between Duke Energy Corp. and Progress Energy, Progress Energy became Duke Energy Progress and I was named Managing Director, Trading and Dispatch. As Managing Director, Trading and Dispatch I was responsible for Power and Natural Gas Trading and Generation Dispatch on behalf of Duke Energy's regulated utilities in the Carolinas, Florida, Indiana, Ohio, and Kentucky. I assumed my current position, Vice President, Fuels & Systems Optimization for Duke Energy Corporation ("Duke Energy"), in November 2019. In that capacity, I lead the organization responsible for the purchase and delivery of coal, natural gas, fuel oil, and reagents to Duke Energy's regulated generation fleet, including Duke Energy Indiana. In addition, I manage the fleet's power trading, system optimization, energy supply analytics, and contract administration functions.

3. This Affidavit is being filed with the Indiana Utility Regulatory Commission (“IURC” or “Commission”) in support of the Verified Petition being filed contemporaneously by Joint Petitioners including Duke Energy Indiana.

4. I have personal knowledge about the report submitted to the Indiana Utility Regulatory Commission by Duke Energy Indiana in compliance with Ind. Code § 8-1-8.5-13, and other matters discussed in the accompanying Petition and in this Affidavit.

5. On or about April 15, 2022, each Joint Petitioner submitted to the Commission its “HB 1520” report, in compliance with HEA 1520 (Ind. Code § 8-1-8.5-13).

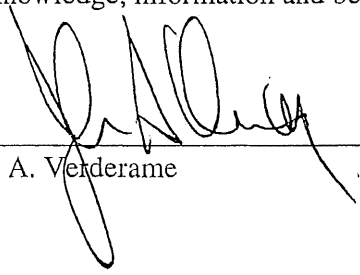
6. Each Joint Petitioner’s HB 1520 report contains confidential, proprietary, competitively sensitive information – specifically, forecasts of each Joint Petitioner’s aggregate demand, aggregate and individual resources and contracts, and capacity positions. Although the capability of owned generating resources (individually and in aggregate) is typically disclosed publicly, such as in Integrated Resource Planning documents, identification of the size and number of contracts with third parties and the size of overall capacity positions has not been publicly disclosed.

7. This information is confidential, proprietary, and competitively sensitive for the following reasons. Disclosure of a Joint Petitioner’s projected demand, resources, and capacity position would have the effect of disclosing a Joint Petitioner’s volumetric need and timing of such need for resources, which could compromise each Joint Petitioner’s efforts to acquire resources in the most cost-effective manner for its customers. Disclosure of this information would effectively give entities with which a Joint Petitioner may negotiate for resources an unfair advantage in negotiations, which could result in higher prices for a Joint Petitioner and its customers.

8. The Confidential Information is not available or ascertainable by third parties through normal or proper means. Each Joint Petitioner has maintained the confidentiality of the Confidential Information by taking all reasonable steps in order to protect the Confidential Information, including sharing such information internally on a “need to know” basis. The Confidential Information derives actual and potential independent economic value from being neither generally known to nor readily ascertainable by, persons who could obtain economic value from its disclosure or use. Public disclosure of the Confidential Information could cause substantial detriment to Joint Petitioners and its customers.

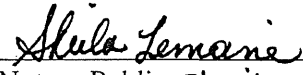
Further Affiant sayeth not.

I hereby verify under the penalties of perjury that the foregoing representations are true to the best of my knowledge, information and belief.

Signed: 
John A. Verderame

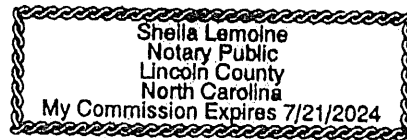
Dated: July 5, 2022

The preceding Affidavit of John A. Verderame was subscribed and sworn before me this 5th day of July, 2022.


Notary Public Sheila Lemoine

My Commission Expires July 21, 2024

My County of Residence Lincoln



STATE OF INDIANA)
) SS
COUNTY OF VANDERBURGH)

AFFIDAVIT OF MATTHEW A. RICE
DIRECTOR REGULATORY & RATES
CENTERPOINT ENERGY INDIANA SOUTH
IN SUPPORT OF JOINT PETITIONERS' PETITION FOR CONFIDENTIAL TREATMENT

COMES NOW Matthew A. Rice being duly sworn, deposes and says:

1. My name is Matthew A. Rice. I am employed by CenterPoint Energy Service Company as Director of Indiana Electric Regulatory & Rates. My business address is 211 NW Riverside Drive, Evansville, Indiana
2. I hold Bachelor of Science and Master of Business Administration degrees from the University of Southern Indiana.
3. This Affidavit is being filed with the Indiana Utility Regulatory Commission ("IURC" or "Commission") in support of the Verified Petition being filed contemporaneously by Joint Petitioners, including Southern Indiana Gas and Electric Company d/b/a CenterPoint Energy Indiana South ("CEI South").
4. I have personal knowledge about the report submitted to the Indiana Utility Regulatory Commission by CEI South in compliance with Ind. Code § 8-1-8.5-13, and other matters discussed in the accompanying Petition and in this Affidavit.
5. On or about April 15, 2022, each Joint Petitioner submitted to the Commission its "HB 1520" report, in compliance with HEA 1520 (Ind. Code § 8-1-8.5-13).
6. CEI South's HB 1520 report contains confidential, proprietary, competitively sensitive information, specifically, information regarding CEI South's energy resource and capacity agreements. Although CEI South has previously disclosed much of the information contained in the HB 1520 report, for example through its Integrated Resource Planning documents and in its docketed requests for a certificate of need to construct new generation, CEI South has not publicly disclosed specific details regarding its energy resource and capacity agreements.
7. This information is confidential, proprietary, and competitively sensitive for the following reasons. Disclosure of information about CEI South's energy resource and capacity agreements would have the effect of disclosing specific details about CEI South's exact volumetric need and the timing of such need, which could compromise CEI South's efforts to acquire energy and capacity resource agreements in the most cost-effective manner for its customers. Disclosure of this information would effectively give entities with which CEI South

might negotiate for resources an unfair competitive advantage in negotiations, which could result in higher prices for CEI South and its customers.

8. The Confidential Information is not available or ascertainable by third parties through normal or proper means. CEI South has maintained the confidentiality of the Confidential Information by taking all reasonable steps in order to protect the Confidential Information, including (1) sharing such information internally only on a "need to know" basis and (2) sharing such information externally only pursuant to an executed non-disclosure agreement and not with entities that might compete to provide energy resources or capacity to CEI South. The Confidential Information derives actual and potential independent economic value from being neither generally known to nor readily ascertainable by, persons who could obtain economic value from its disclosure or use. Public disclosure of the Confidential Information could cause substantial detriment to Joint Petitioners and its customers.

Further Affiant sayeth not.

I hereby verify under the penalties of perjury that the foregoing representations are true to the best of my knowledge, information and belief.

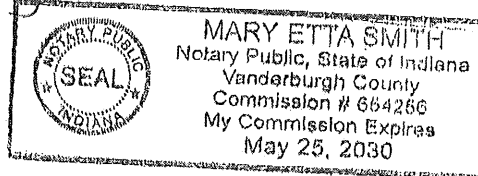
Signed: [Signature] Dated: July 5, 2022

The preceding Affidavit of William A. Brown was subscribed and sworn before me this 5th day of July, 2022.

[Signature]
Notary Public

My Commission Expires May 25, 2030

My County of Residence Vanderburgh



STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

AFFIDAVIT OF DONA R. SEGER-LAWSON
DIRECTOR OF REGULATORY SERVICES
INDIANA MICHIGAN POWER COMPANY
IN SUPPORT OF JOINT PETITIONERS' PETITION FOR CONFIDENTIAL TREATMENT

COMES NOW Dona R. Seger-Lawson, being duly sworn, deposes and says:

1. My name is Dona R. Seger-Lawson. I am employed by Indiana Michigan Power Company ("I&M"), as Director of Regulatory Services. My business address is Indiana Michigan Power Center, P.O. Box 60, Fort Wayne, Indiana 46801.

2. I am responsible for the supervision and direction of I&M's Regulatory Services Department, which has responsibility for the rate and regulatory matters affecting I&M's Indiana and Michigan jurisdictions. I report directly to I&M's Vice President of Regulatory and Finance.

I received a Bachelor of Science in Business Administration degree, Finance and Management Majors, in 1992 from Wright State University. In August 1997, I earned a Master's in Business Administration with a Finance Administration concentration also from Wright State University.

I was employed by the Dayton Power and Light Company from 1992 to 2018 and held various positions in the Regulatory Operations area, ranging from Rate Analyst, Team Leader, Supervisor, Manager and Director of Regulatory Operations.

In 2018, I joined American Electric Power (AEP) as the Manager, Regulatory Services with AEP Ohio and accepted my current position with I&M in May 2020.

3. This Affidavit is being filed with the Indiana Utility Regulatory Commission ("IURC" or "Commission") in support of the Verified Petition being filed contemporaneously by Joint Petitioners including I&M.

4. I have personal knowledge about the report submitted to the Indiana Utility Regulatory Commission by I&M in compliance with Ind. Code § 8-1-8.5-13, and other matters discussed in the accompanying Petition and in this Affidavit.

5. On or about April 15, 2022, I&M submitted to the Commission its "HB 1520" report, in compliance with HEA 1520 (Ind. Code § 8-1-8.5-13).


6. I&M's HB 1520 report contains confidential, proprietary, competitively sensitive information – specifically, forecasts of I&M's aggregate demand, aggregate and individual resources and contracts, and capacity positions. I&M's historical capacity position, consisting of owned generating resources and contracted resources (individually and in aggregate) has typically been disclosed publicly, such as in Integrated Resource Planning documents. However, I&M's forecasted capacity position has evolved from being capacity long to capacity short. Due to the change in I&M's capacity position, I&M's forecasted data, including the size and number of contracts with third parties and the size of overall capacity positions is considered confidential.

7. This information is confidential, proprietary, and competitively sensitive for the following reasons. Disclosure of a I&M's projected demand, resources, and capacity position would have the effect of disclosing I&M's volumetric need and timing of such need for resources, which could compromise I&M's efforts to acquire resources in the most cost-effective manner for its customers. Disclosure of this information would effectively give entities with which I&M may negotiate for resources an unfair advantage in negotiations, which could result in higher prices for I&M and its customers.

8. The Confidential Information is not available or ascertainable by third parties through normal or proper means. I&M has maintained the confidentiality of the Confidential Information by taking all reasonable steps in order to protect the Confidential Information, including sharing such information internally on a "need to know" basis. The Confidential Information derives actual and potential independent economic value from being neither generally known to nor readily ascertainable by, persons who could obtain economic value from its disclosure or use. Public disclosure of the Confidential Information could cause substantial detriment to I&M and its customers.

Further Affiant sayeth not.

I hereby verify under the penalties of perjury that the foregoing representations are true to the best of my knowledge, information and belief.

Signed: 

Dated: July 29, 2022

The preceding Affidavit of Dona R. Seger-Lawson was subscribed and sworn before me this
29th day of July, 2022.

Regiana M.
Sistevaris

Digitally signed by
Regiana M. Sistevaris
Date: 2022.07.29 07:54:55
-04'00'

Regiana M. Sistevaris, Notary Public

My Commission Expires: January 7, 2023

My County of Residence: Allen



July 6 FINAL Cooper Affidavit.docx

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E-Signature Summary

E-Signature 1: G. Aaron Cooper (GAC)

July 06, 2022 08:14:51 -8:00 [A1EBD86A30DB] [165.225.60.194]
aaron.cooper@aes.com (Principal) (Personally Known)

E-Signature Notary: Shanna Bowman (SB)

July 06, 2022 08:14:51 -8:00 [2DDF0831675B] [165.225.61.52]
shanna.bowman@aes.com
I, Shanna Bowman, did witness the participants named above electronically sign this document.



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**Indianapolis Power & Light Company d/b/a AES Indiana
Affidavit of G. Aaron Cooper**

AFFIDAVIT OF G. AARON COOPER

G. Aaron Cooper, upon his oath, deposes and states:

1. I am employed by AES US Services, LLC, as Chief Commercial Officer, US Utilities. In my current position, I am responsible for commercial strategy for the US utilities, Indianapolis Power & Light Company d/b/a AES Indiana ("AES Indiana") and the Dayton Power and Light Company, and my responsibilities include managing and directing the commercial operations and resource planning departments of AES Indiana. I worked with the team that developed the AES Indiana All-Source Request for Proposals ("RFP") and coordinated the evaluation of the resulting proposals received and selection of proposals. I am also a member of the due diligence and contract negotiation core team.

2. I acknowledge that I am of requisite age and capacity to testify to the matters stated herein. I have personal knowledge of the confidential, proprietary, competitively-sensitive and trade secret nature of the Confidential Information addressed herein and in the accompanying Motion through direct contact with this information and through my investigation with other AES Indiana employees who work directly with the Confidential Information. I have personal knowledge of efforts taken by AES Indiana to maintain the secrecy of the Confidential Information through direct contact with these efforts and through my investigation of these efforts with other employees who work directly with these procedures.

Description of the Confidential Information for Which Protection is Sought

3. The Commission has requested certain utilities, including AES Indiana to respond to questions as part of the Commission's HEA 1520 Report development. Written responses are due to the Commission on or before July 6, 2022 and these matters will be the subject of additional discussion at a Technical Conference the Commission has scheduled for July 14, 2022. AES

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Indiana is requesting that certain information to be provided to the Commission's questions and discussed during the Technical Conference be exempted from public disclosure as confidential, proprietary, competitively-sensitive and trade secret information (the "Confidential Information").

More specifically, the Confidential Information which is the subject of my affidavit includes 1) detailed information regarding AES Indiana's forecasted capacity position for the 2023-2024 MISO Plan Year ("PY") and the 2024-2025 MISO PY; 2) action plans AES Indiana expects to implement to address certain resources not yet at a commitment-level certainty as identified in the Commission's questionnaire (which resources include the Hardy Hills and Petersburg Energy Center solar projects approved in Cause Nos. 45493 and 45591 respectively); and 3) other data or details explaining the certainty and risk of any actions identified as being needed in advance of PY 23/24 and PY 24/25.

**The Information Contained in Confidential Information
Derives Independent Economic Value By
Reason of the Fact that it is Not Publicly Available**

4. The Confidential Information is not readily available in the public domain and AES Indiana takes steps to protect this information from public disclosure. Such information is competitively sensitive and a trade secret because competitors may use such data to gain a competitive advantage over AES Indiana in the wholesale power market. Specifically, AES Indiana's plans, actions, risk assessment and other information (collectively "capacity forecast details") regarding AES Indiana's forecasted capacity position, would reveal whether and when the Company is a buyer or seller in the market and provide insight into AES Indiana's business strategy and views on AES Indiana's longer-term outlook on market conditions. If the capacity forecast details included in the Confidential Information became generally known or readily available, parties with which AES Indiana may negotiate as well as other parties in need of



capacity could use this knowledge to the detriment of AES Indiana and its customers. Public disclosure of this Confidential Information could harm AES Indiana and AES Indiana's customers by providing a negotiating advantage to counterparties related to future capacity purchases and sales based upon AES Indiana's forecast and could provide a potential competitive advantage to the competitors of AES Indiana in the competitive wholesale power market. Knowledge of the forecasted information by other potential parties would establish certain benchmarks in future negotiations, thereby potentially increasing costs. Thus, the Confidential Information identified above derives actual and potential independent economic value from being neither generally known to, nor readily ascertainable by proper means by, other persons who could obtain economic value from its disclosure or use.

5. The Company's action plans, risk assessment, negotiations and contractual arrangements (collectively "project development details") for the Hardy Hills and Petersburg Energy Center solar projects are confidential and competitively-sensitive for similar reasons. Public disclosure of project development details would provide considerable economic value to counterparties with whom AES Indiana is negotiating or could be negotiating in the future. The current and potential counterparties could tailor their negotiations and bids around the information included in the Project Development Detail to the detriment of AES Indiana and its customers. Disclosure of the confidential bidder information would permit competitors and other bidders to use such data to gain a competitive advantage over AES Indiana.

6. Similar concerns warrant protection of the status of work associated with these projects, the Company's assessment of the associated project risk and associated action plans because this information, if publicly available, would disclose AES Indiana's strategy and expectations for such issues. To the extent such information became publicly available,



competitors could use such information to the detriment of AES Indiana in the ongoing development of these projects or in the development of future projects. To the extent AES Indiana's expectations regarding risks, action plans and costs were disclosed, such information could be used by the current counter parties, future counter-parties and competitors to establish floors for pricing and other commercial terms in negotiations, thereby limiting the potential benefits to AES Indiana and AES Indiana's customers. Public disclosure of this information would provide these third parties an unfair advantage over AES Indiana in the marketplace, to the detriment of AES Indiana and its customers.

7. Thus, the Confidential Information identified above derives actual and potential independent economic value from being neither generally known to, nor readily ascertainable by proper means by, other persons who could obtain economic value from its disclosure or use.

**The Information is Not Generally Known, Readily Ascertainable
by Proper Means by Other Persons Who Can
Obtain Economic Value from its Disclosure or Use**

8. The Confidential Information is not available or ascertainable by other parties through normal or proper means. No reasonable amount of independent research could yield this information to other parties.

**The Information is the Subject of Efforts Reasonable
Under the Circumstances to Maintain Its Secrecy**

9. The Confidential Information has been the subject of efforts that are reasonable under the circumstances to maintain its secrecy. AES Indiana restricts the access of information to only those employees, officers and representatives of AES Indiana who have a need to know about such information due to their job and management responsibilities. AES Indiana's files, including electronic files, containing the Confidential Information are maintained separately from AES Indiana's general records and access to those files is electronically restricted. Within AES



Indiana, access to this information has been and will continue to be disclosed only to those employees, officers and representatives of AES Indiana who have a need to know about such information due to their job and management responsibilities. Outside AES Indiana, this information is only provided to certain persons who have a legitimate need to review the information to participate in this Cause and who sign a confidentiality agreement.

Further the Affiant sayeth nothing more.

Dated: July 6, 2022

G. Aaron Cooper
Signed on 2022/07/06 08:14:51 -8:00

G. Aaron Cooper



STATE OF OHIO

COUNTY OF MONTGOMERY

)
) SS:
)

Sworn to before me and subscribed in my presence via online notarization pursuant to Ohio Revised Code 147.60 et seq. this 07/06/2022. This certificate pertains to an electronic notarial act performed with the principal appearing online using audio-video communication. This is a jurat certificate; an oath was administered to the signer.



Shanna Bowman
Signed on 2022/07/06 08:14:51 -050

Shanna Bowman
Ohio Online Notary Public
Dayton, Ohio



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Verified Joint Petition was served via electronic transmission, upon the following:

William I. Fine
Randall C. Helmen
Office of Utility Consumer Counselor
PNC Center
Suite 1500 South
115 W. Washington Street
Indianapolis, Indiana 46204
wfine@oucc.in.gov
rhelmen@oucc.in.gov
infomgt@oucc.in.gov

Dated this 6th day of July, 2022.



Kay E. Pashos

Submitted on behalf of all Joint Petitioners

Kay E. Pashos (No. 11649-44)
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