

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
101 WEST WASHINGTON STREET, SUITE 1500 EAST
INDIANAPOLIS, INDIANA 46204-3419

<http://www.in.gov/iurc>
Office: (317) 232-2701
Facsimile: (317) 232-6758

VERIFIED PETITION OF INDIANAPOLIS)
POWER & LIGHT COMPANY, AN INDIANA)
CORPORATION, FOR APPROVAL OF)
ALTERNATIVE REGULATION PLAN FOR)
EXTENSION OF DISTRIBUTION AND)
SERVICE LINES, INSTALLATION OF)
FACILITIES AND ACCOUNTING AND)
RATEMAKING OF COSTS THEREOF FOR)
PURPOSES OF THE CITY OF INDIANAPOLIS')
AND BLUEINDY'S ELECTRIC VEHICLE)
SHARING PROGRAM PURSUANT TO IND.)
CODE 8-1-2.5-1 ET SEQ.)

CAUSE NO. 44478

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

Please be advised that on September 17, 2014, Commission Chair Stephan received the attached correspondence via email from the Donald M. Snemis, Commissioner of the Bureau of Motor Vehicles, which addresses matters currently pending in this proceeding. The correspondence is attached to this Docket Entry. Disclosure of this written communication is being tendered to the record pursuant to 170 IAC 1-1.5-6.

IT IS SO ORDERED.

FILED

SEP 19 2014

**INDIANA UTILITY
REGULATORY COMMISSION**

Carolene Mays

Carolene Mays-Medley, Vice Chair

Jeffery A. Earl

Jeffery A. Earl, Administrative Law Judge

September 19, 2014

Date



STATE OF INDIANA

Michael R. Pence, Governor

Donald M. Snemis, Commissioner
Bureau of Motor Vehicles
100 North Senate Avenue
Indianapolis, Indiana 46204
317-232-5914

September 16, 2014

Via U.S. Mail & Email

Carol A. Stephan, Commission Chair
Indiana Utility Regulatory Commission
PNC Center
101 West Washington Street
Suite 1500E
Indianapolis, IN 46204

Re: Verified Petition of Indianapolis Power & Light Company, cause No. 44478

Dear Commissioner Stephan:

I recently received a copy of a letter to you from Rep. Cherrish S. Pryor dated September 9, 2014. I responded to Rep. Pryor's letter on September 10, 2014. A copy of my letter, with its attachments, is included. My letter covers all of the BMV-related issues raised in Rep. Pryor's recent correspondence. If you would like any additional information, please let us know.

Sincerely,

Donald M. Snemis
Commissioner

c: Hon. Cherrish S. Pryor
Gregory A. Ballard, Mayor, City of Indianapolis
Fred Mills, Director of Government Affairs, Indianapolis Power & Light Company

Attachments



STATE OF INDIANA

Michael R. Pence, Governor

Donald M. Snemis, Commissioner
Bureau of Motor Vehicles
100 North Senate Avenue
Indianapolis, Indiana 46204
(888) 692-6841

September 10, 2014

Hon. Cherrish Pryor
Indiana Statehouse
200 West Washington Street
Indianapolis, IN 46204-2728

Dear Representative Pryor:

On August 21, 2014, you wrote to me requesting information pertaining to BlueIndy, which operates a fleet of ten (10) electric vehicles in Indianapolis. You agreed to a meeting on September 10, 2014 at 1:00 p.m. so that we could provide you the information you sought. That morning, you cancelled that meeting. Later that same day, I received your letter of September 9, 2014.

The characterizations in your letter of September 9 are inaccurate in several ways. First, we are not unwilling to provide the information you requested. In fact, we scheduled the meeting for that very purpose. You cancelled that meeting.

Second, your statement that the vehicles have not been approved by the federal government is inaccurate. BlueIndy received permission from the National Highway Traffic Safety Administration (NHTSA) to operate its fleet on public roads for a one-year period. I am attaching a copy of NHTSA's March 26, 2014 letter for your files. BlueIndy also received a waiver from the EPA by letter of March 14, 2014, a copy of which is also attached. The personal information on the letters has been redacted per statutory requirements. Again, we were prepared to provide you this information at the scheduled meeting.

Per IC § 9-18-7-1, the BMV first issued BlueIndy temporary permits for its vehicles. Later, after conferring with NHTSA, the BMV approved BlueIndy's applications for titles and registrations for the vehicles at issue. Further, BlueIndy has met all applicable Indiana insurance requirements.

As to your comments about the charging stations, those are outside the BMV's statutory scope of responsibility. We have no knowledge regarding the charging stations used by BlueIndy, and no authority to regulate them.

We will process your public records request per our normal procedures, but if this letter and its attachments satisfy your need for information, please let us know so that we can avoid the time and expense associated with a response.

Sincerely,

Donald M. Snemis
Commissioner



U.S. Department
of Transportation
National Highway
Traffic Safety
Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

Box 7
AP-1403-021
PM-1403-073

March 26, 2014

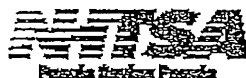
This is in response to your request to import the vehicles identified below for testing and demonstration purposes:

**2013 BOLLORÉ BLUECAR PASSENGER CARS
VINS:**

VL4BCEB1KET000701, VL4BCEB1KET000702, VL4BCEB1KET000703,
VL4BCEB1KET000704, VL4BCEB1KET000705, VL4BCEB1KET000706,
VL4BCEB1KET000707, VL4BCEB1KET000708, VL4BCEB1KET000709,
VL4BCEB1KET000710

You stated that these vehicles would be used in a pilot car sharing program to be conducted by BlueIndy, LLC, a subsidiary of the Bolloré Group (hereinafter collectively referred to as "Bolloré"), in the City of Indianapolis, Indiana. You stated that the car sharing program shall be limited to an authorized driving perimeter consisting only of up to 3 miles outside Indianapolis' City limits, and the pilot program cars will initially be driven by Bolloré employees, or by volunteers from the City who have been selected by Bolloré, or by members of the public only if they are accompanied by a Bolloré employee and for short trips. Based on the information that you provided, we have no objection to your request and will permit entry of the vehicles under Box 7 on the HS-7 Declaration Form, and their use on public roads, subject to the following conditions:

1. This letter applies only to the ten vehicles identified above. If Bolloré seeks to import any additional nonconforming vehicles for testing or demonstration purposes, it will need to separately request our permission to import those vehicles, and to obtain our permission before the vehicles are imported.



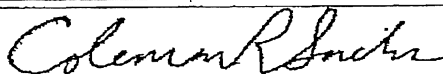
<http://www.nhtsa.dot.gov>

2. Entry of the vehicles must be in compliance with all U.S. Customs and Border Protection (Customs) requirements. A copy of this NHTSA permission letter should be attached to the completed HS-7 Declaration Form and submitted to Customs.
3. A label must be affixed to the interior of each of the vehicles, formatted in a manner and placed in a location where its contents can be easily read, warning the occupant of the outboard front passenger seating position that the vehicle is not equipped with an airbag at that position, and that a seat belt is the only crash protection provided to that occupant.
4. Guidance written in the English language is prepared and made available to law enforcement, fire fighters, emergency medical service, or other personnel responding to vehicle crashes or other incidents involving the vehicles or to storage facilities for handling crashed, burned or flooded vehicles.
5. If any of the vehicles is involved in a crash or other incident, Bollore notifies NHTSA within 24 hours of the event and provides NHTSA with a full description of the occurrence and with copies of all reports concerning the occurrence, including those addressing whether the battery caused or contributed to the occurrence. Notification should be sent to me at the telephone number and e-mail address provided below.
6. Bollore provides NHTSA with documentary proof that the vehicles have been exported or destroyed not later than 30 days following the end of the period for which they have been admitted to the United States.
7. Bollore submits an annual report to NHTSA on the status of all vehicles imported for use in the Indianapolis car sharing program. The first report should be submitted one year after the date of entry for the first vehicle imported for that purpose. Subsequent reports should be submitted on that anniversary date for each year that the vehicles remain in this country. The report should identify, by vehicle identification number (VIN), all vehicles that remain in the United States. The report should identify all vehicles removed from service, the reason(s) for their removal, and their disposition. The reports should be submitted to my attention at the address indicated in the letterhead.

This temporary importation is valid for a period not to exceed one year. If additional time is required, a request for an extension must be submitted to this office along with a copy of this letter.

We appreciate your cooperation, and that of your colleagues, in meeting with us and responding to our inquiries concerning the importation of these vehicles. If you need any further information, feel free to contact me at by telephone at 202-366-3151 or by e-mail at coleman.sachs@dot.gov.

Sincerely,



Coleman R. Sachs, Chief
Import and Certification Division
Office of Vehicle Safety Compliance



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY
2565 PLYMOUTH ROAD
ANN ARBOR, MICHIGAN 48105-2498

OFFICE OF
AIR AND RADIATION

Exemption Number: 2014-MARCH-LD-TEST-I-1606

This letter is in response to your request received on March 03, 2014 for a testing exemption for a nonconforming vehicle(s) or engine(s) under EPA regulations at 40 CFR 85.1511(b)(2). Based on the information you have provided to us and subject to the terms and conditions set forth below, EPA approves this exemption request for the following vehicle(s)/engine(s):

QUANTITY	MAKE	MODEL	MODEL YEAR	ID TYPE	ID NUMBER
1	Bolloré	Bluecar BEV	2013	Vehicle Identification Number	VL4BCEB1KE T000701
1	Bolloré	Bluecar BEV	2013	Vehicle Identification Number	VL4BCEB1KE T000702
1	Bolloré	Bluecar BEV	2013	Vehicle Identification Number	VL4BCEB1KE T000703
1	Bolloré	Bluecar BEV	2013	Vehicle Identification Number	VL4BCEB1KE T000704
1	Bolloré	Bluecar BEV	2013	Vehicle Identification Number	VL4BCEB1KE T000705
1	Bolloré	Bluecar BEV	2013	Vehicle Identification Number	VL4BCEB1KE T000706
1	Bolloré	Bluecar BEV	2013	Vehicle Identification Number	VL4BCEB1KE T000707

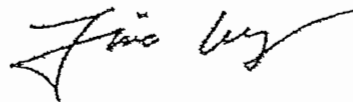
1	Bolloré	Bluecar BEV	2013	Vehicle Identification Number	VL4BCEB1KE T000708
1	Bolloré	Bluecar BEV	2013	Vehicle Identification Number	VL4BCEB1KE T000709
1	Bolloré	Bluecar BEV	2013	Vehicle Identification Number	VL4BCEB1KE T000710

This testing exemption is valid from April 01, 2014 until March 31, 2015. This testing exemption covers the subject vehicle(s)/engine(s) only under your full compliance with the enclosed Terms and Conditions. As outlined in the terms and conditions, at the end of the testing period, you must either request an extension of the exemption from the EPA prior to the expiration date or remove the vehicle(s)/engine(s) from exempt status.

A breach of any term or condition shall cause the exemption granted pursuant to this approval to be void. Consequently, the introduction or delivery for introduction into commerce of the subject vehicle(s)/engine(s) other than in strict conformity with all terms and conditions of this approval shall constitute a violation of section 203 (a) (1) of The Clean Air Act, and may render the importer liable for a civil penalty of up to \$37,500 per violation under section 205 of the Clean Air Act. In addition, noncompliance may result in the seizure of the vehicle(s)/engine(s) by U.S. Customs and Border Protection.

If you have any questions, please do not hesitate to contact Ronald Schuyler at 734-214-4100 or e-mail to imports@epa.gov.

Sincerely,



Linc Wehrly, Director
Light-Duty Vehicle Center
Compliance Division

Testing Exemption
Terms and Conditions

If the requestor elects to accept the exemption, the requestor must:

(a) Agree to conduct the testing program as described in the documentation provided with the initial request upon which this approval is based

(b) Agree not to sell or otherwise transfer ownership to another party in the U.S.

(c) Agree not to operate the vehicle(s) on public roads or highways in the U.S. except as necessary for the test program as described in the documentation provided with initial request upon which this approval is based

(d) Create, maintain, and make available at reasonable times for review or copying by appropriate EPA officials records which provide each engine serial number or vehicle or equipment identification, indicate the use of the engine, vehicle or equipment on exempt status and indicate the final disposition of any engine, vehicle or equipment removed from exempt status; these records shall be maintained by the manufacturer for a period of one (1) year after the engine, vehicle or equipment has been removed from exempt status. For approved exemption requests where VIN(s) are not provided by the requestor at the time of approval, send quarterly reports of the appropriate numbers and dates of when the vehicle(s) are placed under exempt status and when removed from this exemption.

(e) At the end of the testing period, either request an extension of the exemption from EPA prior to the expiration date or remove the vehicle(s)/engine(s) from exempt status by performing one of the following for each vehicle(s)/engine(s) that is removed from exempt status:

(1) Obtain prior EPA approval to extend the exemption (before the current exemption expires for a subsequent one year period) or

(2) Regain physical possession of the subject vehicle(s)/engine(s) and remove from commerce by exporting or destroying the vehicle(s)/ engine(s); or

(3) Return the vehicle(s)/engine(s) to the original certified configuration or obtain a certificate and certify the vehicle(s) in their new configuration.

(f) Take steps as may be necessary to prevent any violations of the terms and

conditions for this exemption by any person.

This exemption shall be deemed to cover the subject vehicle(s)/engine(s) only under full compliance with the above terms and conditions. A breach of any term or condition shall cause the exemption to be void. Consequently, the introduction or delivery for introduction into commerce of the vehicles(s) other than in strict conformity with all terms and conditions shall constitute a violation of section 203 (a)(1) of the Clean Air Act, and you may be subject to a civil penalty of up to \$37,500 per violation under section 205 of the Clean Air Act, as well as other penalties. In addition, noncompliance may result in the seizure of the vehicle(s)/engine(s) by U.S. Customs and Border Protection.

