

STATE of INDIANA

INDIANA UTILITY REGULATORY COMMISSION
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INDIANAPOLIS, INDIANA 46204-3419



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PETITION OF INDIANA MICHIGAN POWER)
COMPANY, AN INDIANA CORPORATION, FOR)
AUTHORITY TO INCREASE ITS RATES AND)
CHARGES FOR ELECTRIC UTILITY SERVICE)
THROUGH A PHASE IN RATE ADJUSTMENT; AND)
FOR APPROVAL OF RELATED RELIEF INCLUDING:)
(1) REVISED DEPRECIATION RATES, INCLUDING)
COST OF REMOVAL LESS SALVAGE, AND)
UPDATED DEPRECIATION EXPENSE; (2))
ACCOUNTING RELIEF, INCLUDING DEFERRALS)
AND AMORTIZATIONS; (3) INCLUSION OF CAPITAL)
INVESTMENT; (4) RATE ADJUSTMENT)
MECHANISM PROPOSALS, INCLUDING NEW)
GRANT PROJECTS RIDER AND MODIFIED TAX)
RIDER; (5) A VOLUNTARY RESIDENTIAL)
CUSTOMER POWERPAY PROGRAM; (6) WAIVER)
OR DECLINATION OF JURISDICTION WITH)
RESPECT TO CERTAIN RULES TO FACILITATE)
IMPLEMENTATION OF THE POWERPAY)
PROGRAM; (7) COST RECOVERY FOR COOK PLANT)
SUBSEQUENT LICENSE RENEWAL EVALUATION)
PROJECT; AND (8) NEW SCHEDULES OF RATES,)
RULES AND REGULATIONS)

CAUSE NO. 45933

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

On August 9, 2023, Indiana Michigan Power Company (“I&M” or “Petitioner”) filed its Verified Petition for General Rate Increase and Associated Relief Under Ind. Code § 8-1-2-42.7 and Notice of Provision of Information in Accordance with the Minimum Standard Filing Requirements (“Petition”) in this matter which contained a proposed procedural schedule agreed to by I&M, the Indiana Office of Utility Consumer Counselor (“OUCC”), and Citizens Action Coalition of Indiana, Inc. (“CAC”). The Presiding Officers, having reviewed the proposed schedule, now establish the following procedural schedule in this matter:

1. **Test Year and Accounting Method.** Pursuant to Ind. Code § 8-1-2-42.7(d), I&M is utilizing a forward-looking test period determined on the basis of projected data for the 12 months ending December 31, 2024 (“Test Year”). In accordance with Ind. Code § 8-1-2-42.7, this

Test Year (which commences January 1, 2024), begins not later than 24 months after the date on which I&M's Petition was filed.

2. **Rate Base and Major Projects Cutoff Dates and Major Projects Updates.** The general rate base cutoff shall be the Test Year end, December 31, 2024. Petitioner shall file monthly investment updates and declare major projects used and useful in accordance with 170 IAC 1-5-5.

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

4. **Petitioner's Prefiling Date.** Petitioner prefiled with the Commission its prepared testimony and exhibits constituting its case-in-chief on August 9, 2023. Copies of same were served upon all parties of record.

5. **Field Hearing.** One or more field hearings will be held in this Cause at a date, time, and location set forth in a subsequent docket entry.

6. **OUCC's and Intervenors' Prefiling Date.** The OUCC and all Intervenors shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before November 15, 2023. Copies of the same shall be served upon all parties of record.

7. **Petitioner's Rebuttal Prefiling Date.** Petitioner shall prefile with the Commission its prepared rebuttal testimony on or before December 13, 2023. Copies of the same shall be served upon all parties of record.

8. **Cross-Answering Testimony.** The OUCC and all Intervenors may prefile with the Commission any cross-answering testimony and exhibits responding to the cases-in-chief prefiled by parties other than Petitioner on or before December 13, 2023. Copies of the same shall be served upon all parties of record.

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

10. **Evidentiary Hearing.** In the event this Cause is not settled, this matter shall proceed to an evidentiary hearing to commence at 9:30 a.m. on January 16, 2024 in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. The Commission reserved the following additional dates for the evidentiary hearing, should they be needed: January 17, January 18, January 19, January 22, January 23, January 24, January 29, January 30, and January 31, 2024. At such time, the cases-in-chief of the Petitioner, the OUCC and any Intervenors shall be presented and their respective witnesses examined. Thereafter, Petitioner shall present its

prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of the OUCC's or Intervenors' witnesses.

11. Settlement Agreement and Testimony. If the parties reach settlement, the agreement and supporting testimony and exhibits shall be submitted to the Commission on or before December 20, 2023. Copies of same shall be served upon all parties of record. Per GAO 2013-5, this settlement date is the last day to submit a settlement agreement with supporting testimony and maintain the overall schedule. If a settlement includes less than all the parties, the schedule may need to be modified to accommodate the filing of any testimony objecting to settlement and settlement hearing.

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

13. Sworn Testimony. Any witness testimony to be offered into the record of this proceeding shall be made under oath or affirmation. In accordance with 170 IAC 1-1.1-18(h), if a party offers prefiled testimony of a witness into evidence at the evidentiary hearing, and the witness sponsoring the prefiled testimony is not required to, and does not, attend the evidentiary hearing, the prefiled testimony shall be accompanied by the witness's sworn affidavit or written verification at the time the evidence is offered into the record.

14. Post-hearing Filings. Petitioner shall file its proposed order on or before February 7, 2024. The OUCC and Intervenors shall file their respective proposed orders and/or any exceptions to Petitioner's proposed order on or before February 28, 2024. Petitioner shall file any reply to the OUCC's and/or Intervenor's proposed orders and/or exceptions on or before March 6, 2024.

15. Discovery. Discovery is available for all parties and shall be conducted on an informal basis. Any response or objection to a discovery request shall be made within ten calendar days of the receipt of such request until November 15, 2023. Thereafter, any response or objection to a discovery request shall be made within five calendar days of the receipt of such request. Any discovery communication received after noon on a Friday or after 5:00 p.m. on any other business day shall be deemed to have been received the following business day. There will be blackout dates for discovery from November 21, 2023 through November 26, 2023; December 22, 2023 through December 26, 2023; and December 30, 2023 through January 1, 2024. Dates designated as "blackout dates" shall not be included in determining the number of days provided for responding to a discovery request. The Parties may conduct discovery through electronic means. Subject to the protection of confidential information, all parties will be served with discovery requests and responses.

16. **Service.** The parties will provide same day service of filings via email, hand delivery, or large file transfer.

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

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

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

20. **Intervenors.** Any party permitted to become an Intervenor in this Cause shall be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 IAC 1-1.1-11.

IT IS SO ORDERED.



David Ziegner, Commissioner



Ann Pagonis, Administrative Law Judge

Date: August 25, 2023