

**STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION**

**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;  
(2) ACCOUNTING RELIEF; (3) INCLUSION IN RATE  
BASE OF QUALIFIED POLLUTION CONTROL  
PROPERTY AND CLEAN ENERGY PROJECT;  
(4) ENHANCEMENTS TO THE DRY SORBENT  
INJECTION SYSTEM; (5) ADVANCED METERING  
INFRASTRUCTURE; (6) RATE ADJUSTMENT  
MECHANISM PROPOSALS; AND (7) NEW SCHEDULES  
OF RATES, RULES AND REGULATIONS**

**FILED**  
October 3, 2019  
**INDIANA UTILITY  
REGULATORY COMMISSION**

**CAUSE NO. 45235**

**MOTION FOR WALMART INC.'S  
COUNSEL TO APPEAR WITHOUT LOCAL CO-COUNSEL**

Pursuant to Section 7(c)(2) of 170 IAC 1-1.1-7, Walmart Inc. ("Walmart"), by counsel, respectfully moves for permission for Barry A. Naum to appear at the evidentiary hearings in this proceeding, as necessary, without local co-counsel. Mr. Naum's Notice of Appearance and Notice of Order Granting Temporary Permission were both filed with the Indiana Utility Regulatory Commission ("IURC" and "Commission") on October 3, 2019.

As a matter of administrative efficiency, Walmart desires to control and mitigate litigation expenses to the extent possible by not requiring multiple attorneys to be present at the evidentiary hearings, particularly given the potential extent of the scheduled hearings. Mr. Naum is a utility regulatory attorney, experienced in the conduct of administrative utility proceedings, whose knowledge and proficiency in the matters presented before the Commission in this proceeding is primarily relied upon by Walmart for the purpose of its case. To that end, Mr. Naum has appeared before this Commission on numerous occasions and is familiar with the procedure and rules employed by the Commission in the conduct of its cases. Neither Walmart's representation nor

the Commission's conduct of the hearing will be adversely impacted by the absence of local counsel.

As required by Section 7(c), Walmart's local counsel, Mr. Eric E. Kinder, has reviewed, approved, and executed all documents and pleadings that Walmart has filed in this case or will be entering into the record, and will be jointly responsible for these going forward.

Respectfully submitted,

/s/ Eric E. Kinder

Eric E. Kinder (Indiana Bar No. 22646-02)  
SPILMAN THOMAS & BATTLE, PLLC  
300 Kanawha Boulevard, East  
P.O. Box 273  
Charleston, WV 25321-0273  
Telephone: (304) 340-3893  
Facsimile: (304) 340-3801  
E-mail: [ekinder@spilmanlaw.com](mailto:ekinder@spilmanlaw.com)

Barry A. Naum (Pennsylvania Bar No. 204869)  
SPILMAN THOMAS & BATTLE, PLLC  
1100 Bent Creek Boulevard, Suite 101  
Mechanicsburg, PA 17050  
Phone: (717) 795-2742  
Fax: (717) 795-2743  
E-mail: [bnaum@spilmanlaw.com](mailto:bnaum@spilmanlaw.com)

COUNSEL FOR WALMART INC.

Dated: October 3, 2019

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served by electronic mail, hard copies available upon request, this 3<sup>rd</sup> day of October, 2019, upon the following counsel:

Tiffany T. Murray  
Office of Utility Consumer Counselor  
115 West Washington Street, Suite 1500S  
Indianapolis, IN 46204  
[timurray@oucc.in.gov](mailto:timurray@oucc.in.gov)  
[infomgt@oucc.in.gov](mailto:infomgt@oucc.in.gov)

Teresa Morton Nyhart  
Jeffrey M. Peabody  
Barnes & Thornburg LLP  
11 South Meridian Street  
Indianapolis, IN 46204  
[tnyhart@btlaw.com](mailto:tnyhart@btlaw.com)  
[jpeabody@btlaw.com](mailto:jpeabody@btlaw.com)

Matthew S. McKenzie  
American Electric Power Service  
Corporation  
1 Riverside Plaza, 29<sup>th</sup> Floor  
Columbus, OH 43215  
[msmckenzie@aep.com](mailto:msmckenzie@aep.com)

Jennifer A. Washburn  
Margo Tucker  
Citizens Action Coalition of Indiana  
1915 W. 18<sup>th</sup> Street, Suite C  
Indianapolis, IN 46202  
[jwashburn@citact.org](mailto:jwashburn@citact.org)  
[mtucker@citact.org](mailto:mtucker@citact.org)

Kurt J. Boehm  
Jody Kyler Cohn  
Boehm, Kurtz & Lowry  
36 East Seventh Street, Suite 1510  
Cincinnati, OH 45202  
[kboehm@bkllawfirm.com](mailto:kboehm@bkllawfirm.com)  
[jkylercohn@bkllawfirm.com](mailto:jkylercohn@bkllawfirm.com)

John P. Cook  
John P. Cook & Associates  
900 W. Jefferson Street  
Franklin, IN 46131  
[john.cookassociates@earthlink.net](mailto:john.cookassociates@earthlink.net)

Kevin Higgins  
Energy Strategies, LLC  
Parkside Towers  
215 South State Street, Suite 200  
Salt Lake City, UT 84111  
[khiggins@energystrat.com](mailto:khiggins@energystrat.com)

Bette J. Dodd  
Joseph P. Rompala  
Lewis & Kappes, P.C.  
One American Square, Suite 2500  
Indianapolis, IN 46282  
[BDodd@Lewis-Kappes.com](mailto:BDodd@Lewis-Kappes.com)  
[JRompala@Lewis-Kappes.com](mailto:JRompala@Lewis-Kappes.com)

J. Christopher Janak  
Kristina Kern Wheeler  
Bose McKinney & Evans LLP  
111 Monument Circle, Suite 2700  
Indianapolis, IN 46204  
[cjanak@boselaw.com](mailto:cjanak@boselaw.com)  
[kwheeler@boselaw.com](mailto:kwheeler@boselaw.com)  
Robert K. Johnson  
2454 Waldon Drive

Greenwood, IN 46143  
[rjohnson@utilitylaw.us](mailto:rjohnson@utilitylaw.us)

Brian C. Bosma  
Kevin D. Koons  
Ted W. Nolting  
Kroger Gardis & Regas, LLP  
111 Monument Circle Drive, Suite 900  
Indianapolis, IN 46204-5125  
[bcg@kgrlaw.com](mailto:bcg@kgrlaw.com)  
[kdk@kgrlaw.com](mailto:kdk@kgrlaw.com)  
[tw@kgrlaw.com](mailto:tw@kgrlaw.com)

Randolph G. Holt  
Parr Richey  
c/o Wabash Valley Power Alliance  
6720 Intech Blvd.  
Indianapolis, IN 46278  
[r\\_holt@wvpa.com](mailto:r_holt@wvpa.com)

Jeremy L. Fetty  
Liane K. Steffes  
Parr Richey  
251 N. Illinois Street, Suite 1800  
Indianapolis, IN 46204  
[jfetty@parrlaw.com](mailto:jfetty@parrlaw.com)  
[lsteffes@parrlaw.com](mailto:lsteffes@parrlaw.com)

Robert M. Glennon  
Robert Glennon & Assoc., P.C.  
3697 N. Co. Rd. 500 E.  
Danville, IN 46122  
[robertglennonlaw@gmail.com](mailto:robertglennonlaw@gmail.com)

Jeffrey A. Earl  
Bose McKinney & Evans LLP  
111 Monument Circle, Suite 2700  
Indianapolis, IN 46204  
[jearl@boselaw.com](mailto:jearl@boselaw.com)

W. Erik Weber  
Mefford Weber and Blythe  
130 East Seventh Street  
Auburn, IN 46706-1839  
[erik@lawmwb.com](mailto:erik@lawmwb.com)

Mark W. Cooper  
1449 North College Avenue  
Indianapolis, IN 46202  
[attymcooper@indy.rr.com](mailto:attymcooper@indy.rr.com)

Shaw R. Friedman  
Friedman & Associates, P.C.  
705 Lincolnway  
LaPorte, IN 46350  
[sfriedman.associates@frontier.com](mailto:sfriedman.associates@frontier.com)

Keith L. Beall  
Beall & Beall  
13238 Snow Owl Dr., Ste. A  
Carmel, IN 46033  
[kbeall@indy.rr.com](mailto:kbeall@indy.rr.com)

*/s/ Eric E. Kinder*

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Eric E. Kinder

*Counsel for Walmart Inc.*