

STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION

INVESTIGATION OF THE INDIANA UTILITY :  
REGULATORY COMMISSION REGARDING THE :  
PUBLIC UTILITY REGULATORY POLICIES ACT :  
SECTION 111(d) STANDARDS AS AMENDED BY :  
THE INFRASTRUCTURE INVESTMENT AND JOBS :  
ACT. :  
 : CAUSE NO. 45816  
RESPONDENTS: NORTHERN INDIANA PUBLIC :  
SERVICE COMPANY; DUKE ENERGY INDIANA, :  
LLC; INDIANA MICHIGAN POWER COMPANY; :  
SOUTHERN INDIANA GAS AND ELECTRIC :  
COMPANY D/B/A CENTERPOINT ENERGY :  
INDIANA SOUTH; INDIANAPOLIS POWER & :  
LIGHT COMPANY D/B/A AES INDIANA; AND :  
ANDERSON MUNICIPAL POWER & LIGHT :

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PETITION TO INTERVENE OF  
WALMART INC.

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Pursuant to Section 170 IAC 1-1.1-11 of the Indiana Utility Regulatory Commission's ("Commission") Rules of Practice and Procedure, Walmart Inc. ("Walmart"), by its attorneys, respectfully petitions the Commission for permission to intervene in the above-captioned proceeding. In support thereof, Walmart represents to the Commission:

1. Petitioner is Walmart, a national retailer of goods and services through the United States with its principal office located at 2608 SE J Street, Bentonville, AR 72716.

2. The name and address of Petitioner's attorneys are:

Eric E. Kinder (Indiana Bar No. 22646-02)  
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The above-named attorneys are authorized to accept service of papers in this proceeding on behalf of Walmart. Walmart therefore respectfully requests that each of its attorneys be added to the service list in this proceeding.<sup>1</sup>

3. On December 7, 2022, the Commission commenced this investigation to consider the measures to promote greater electrification of the transportation sector as referenced in Section 111(d)(21) of the Public Utility Regulatory Policies Act, as amended by the Infrastructure Investment and Jobs Act. The Respondents to this proceeding are Northern Indiana Public Service Company ("NIPSCO"), Duke Energy Indiana, LLC ("Duke"), Indiana Michigan Power Company ("I&M"), Southern Indiana Gas and Electric Company d/b/a CenterPoint Energy Indiana South ("CenterPoint"), Indianapolis Power & Light Company d/b/a AES Indiana ("AES Indiana"), and Anderson Municipal Power & Light ("Anderson") (collectively, "Respondents").

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<sup>1</sup> Walmart plans to file a Petition for Temporary Admission for Mr. Naum and/or Mr. Lee to appear before this Commission *pro hac vice* subsequent to any Commission Order granting Walmart's intervention in this proceeding.

4. Walmart has the privilege of providing its retail services throughout the State of Indiana. Walmart operates 97 Supercenters, 6 Discount Stores, 9 Neighborhood Markets, 13 Sam's Clubs, 2 other Pharmacy Formats, 9 Distribution Centers, and 4 Fulfillment Centers, and employs over 43,000 associates in Indiana, including in the various Respondents' service territories.<sup>2</sup>

5. Walmart has a strong interest in access to affordable clean energy and electric vehicle ("EV") charging and infrastructure in Indiana, consistent with overall national corporate energy goals, as well as the structure of those initiatives within the state. Walmart has also recently announced a plan to install new EV fast-charging stations at thousands of its locations across the country and thus will be directly impacted by the outcome of this case.<sup>3</sup> No other party can adequately represent Walmart's interests in this case.

6. The intervention of Walmart in this proceeding will not unduly broaden the issues before the Commission. To that end, as required in the docket entry issued by the presiding officers on February 1, 2023, Walmart accepts the procedural schedule and the record in this case as it exists at this time. Walmart intends to participate fully in this proceeding and assist the Commission in reaching a final resolution of the issues.

7. Walmart is filing this Petition to Intervene more than five (5) days prior to the date set for the initial evidentiary hearings on the merits in this investigation.

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<sup>2</sup> <https://corporate.walmart.com/about/indiana>

<sup>3</sup> <https://corporate.walmart.com/newsroom/2023/04/06/leading-the-charge-walmart-announces-plan-to-expand-electric-vehicle-charging-network>

**WHEREFORE**, Walmart Inc. respectfully requests that the Commission grant this Petition to Intervene and be provided with full party status in this proceeding.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By /s/ Eric E. Kinder

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*Counsel to Walmart Inc.*

Dated: May 26, 2023

## **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 26<sup>th</sup> day of May 2023, upon the following counsel:

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Certificate of Service

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