

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

VERIFIED PETITION OF SOUTHERN INDIANA GAS AND)
ELECTRIC COMPANY d/b/a CENTERPOINT ENERGY INDIANA)
SOUTH (“CEI SOUTH”) FOR AN ORDER: (1) GRANTING CEI)
SOUTH A CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY, PURSUANT TO IND. CODE CH. 8-1-8.5, TO)
PURCHASE AND ACQUIRE, THROUGH A BUILD TRANSFER)
AGREEMENT (“BTA”), A WIND ENERGY GENERATING)
FACILITY (THE “WIND PROJECT”); (2) FINDING THE WIND)
PROJECT CONSTITUTES A CLEAN ENERGY PROJECT UNDER)
IND. CODE CH. 8-1-8.8; (3) APPROVING ASSOCIATED)
RATEMAKING AND ACCOUNTING TREATMENT FOR THE)
WIND PROJECT PURSUANT TO IND. CODE CH. 8-1-8.5 AND § 8-)
1-8.8-11; (4) AUTHORIZING CEI SOUTH TO ACCRUE POST-IN-)
SERVICE CARRYING COSTS (“PISCC”) AND DEFER)
DEPRECIATION, OPERATIONS AND MAINTENANCE (“O&M”))
AND PROPERTY TAX EXPENSES ASSOCIATED WITH THE)
WIND PROJECT; (5) IN THE EVENT THE CPCN IS NOT)
GRANTED OR THE WIND PROJECT OTHERWISE IS NOT)
PLACED IN SERVICE, GRANTING AUTHORITY TO DEFER, AS)
A REGULATORY ASSET, COSTS ASSOCIATED WITH THE)
WIND PROJECT FOR FUTURE RECOVERY THROUGH RETAIL)
ELECTRIC RATES; (6) PROVIDING FOR ONGOING REVIEW OF)
THE WIND PROJECT; (7) AUTHORIZING THE)
ESTABLISHMENT OF DEPRECIATION RATES FOR THE WIND)
PROJECT; (8) APPROVING, TO THE EXTENT NECESSARY, AN)
ALTERNATIVE REGULATORY PLAN (“ARP”) WITH RESPECT)
TO THE WIND PROJECT UNDER IND. CODE CH. 8-1-2.5; AND (9))
APPROVING CONFIDENTIAL TREATMENT OF THE BTA)
PRICING AND OTHER NEGOTIATED COMMERCIAL TERMS)
AND RELATED CONFIDENTIAL INFORMATION.)

CAUSE NO. 45836

INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR

TESTIMONY OF KALEB G. LANTRIP

PUBLIC’S EXHIBIT NO. 1

FEBRUARY 27, 2023

Respectfully submitted,



Lorraine Hitz
Attorney No. 18006-29
Deputy Consumer Counselor

CONFIDENTIAL TESTIMONY INDICATED BY [REDACTED] HIGHLIGHT

TESTIMONY OF OUCC WITNESS KALEB G. LANTRIP
CAUSE NO. 45836
SOUTHERN INDIANA GAS AND ELECTRIC COMPANY D/B/A
CENTERPOINT ENERGY INDIANA SOUTH

I. INTRODUCTION

1 **Q: Please state your name, business address, and business capacity.**

2 A: My name is Kaleb G. Lantrip, and my business address is 115 W. Washington St.,
3 Suite 1500 South, Indianapolis, Indiana 46204. I am employed as a Utility
4 Analyst in the Indiana Office of Utility Consumer Counselor's ("OUCC") Electric
5 Division. A summary of my educational background and experience is included in
6 Appendix A attached to my testimony.

7 **Q: What is the purpose of your testimony?**

8 A: The purpose of my testimony is to provide my analysis regarding CenterPoint
9 Energy Indiana South's ("CEI South" or "Petitioner") [REDACTED] Wind Project
10 development costs. I address the affordability of CEI South's rates and how it
11 factors into the reasonableness of CEI South's request in this Cause. Additionally,
12 I express concerns about the limited transparency provided by the Petitioner in
13 this Cause regarding its request for a Certificate of Public Convenience and
14 Necessity ("CPCN"). Ultimately, I recommend the Indiana Utility Regulatory
15 Commission ("Commission") deny CEI South's proposed project.

16 **Q: Please describe the review and analysis you conducted to prepare your**
17 **testimony.**

1 A: I reviewed CEI South's petition, direct testimony, attachments, and responses to
2 data requests. I also reviewed the Petitioner's other renewable cases in Cause Nos.
3 44909 (establishing and updating the Clean Energy Cost Adjustment ("CECA")
4 rider), 45501 (establishing "Posey County Solar Project" and "Warrick County
5 Solar Purchase Power Agreement ("PPA")"), 45600 (establishing "Vermillion
6 County PPA" and "Knox County PPA"), and 45754 (currently pending "Pike
7 County Solar Project").¹

8 **Q: To the extent you do not address a specific item, issue, or adjustment, does
9 this mean you agree with those portions of CEI South's proposals?**

10 A: No. Excluding any specific adjustments, issues, or amounts CEI South proposes
11 does not indicate my approval of those adjustments, issues, or amounts. Rather,
12 the scope of my testimony is limited to the specific items addressed herein.

II. AFFORDABILITY AND OTHER FACTORS IMPACTING CEI SOUTH'S REQUEST

13 **Q: Should the Commission grant CEI South's request for this Wind Project?**

14 A: No. The OUCC continues to be concerned with the affordability of CEI South's
15 rates, the proliferation of its cost trackers, and the magnitude of costs passed
16 through Petitioner's tracking mechanisms. The last time the Commission
17 evaluated the entirety of CEI South's revenues and costs through a base rate case
18 (Cause No. 43839) was in the December 2009 to April 2011 timeframe, and the
19 test year was July 2008 through June 2009.² Given the Wind Project costs are

¹ See Petitioner's Exhibit No. 1: Verified Direct Testimony of Richard C. Leger, p. 5, l. 13 - p. 6, l. 20.

² Cause No. 43839, Final Order (Issued April, 27, 2011), pp. 1-3.

1 intricately tied to the affordability of Petitioner's base rates, the OUCG finds it is
2 appropriate to evaluate these costs in the context of a general rate case.

3 In determining whether to grant CEI South's Wind Project request, I.C. §
4 8-1-8.4-6(b)(2) allows the Commission to consider any other relevant factors. The
5 OUCG considers the length of time since the Petitioner has had a base rate case,
6 affordability concerns regarding CEI South's current rates (including trackers),
7 Petitioner's lack of effort to protect affordability, and the utility's upcoming filing
8 of a new integrated resource plan ("IRP") this year (currently due June 1, 2023)³
9 to be relevant factors in this case. Due to the timing of its currently approved
10 Transmission, Distribution, and Storage System Improvement Charge ("TDSIC")
11 seven-year plan,⁴ CEI South will be required to file a general rate case by the end
12 of 2023.

13 **Q: What is the estimated rate impact of the Wind Project?**

14 A: Petitioner estimates the Wind Project will increase a monthly residential bill for
15 1,000 kWh by \$19.86.⁵ This would be in addition to CEI South's other tracking
16 mechanisms and recent requests for new generation.

17 Table 1 summarizes the monthly residential electric bill impact for
18 Petitioner's current billing charges as of February 2023:

³ See Public's Ex. 2: Verified Direct Testimony of OUCG Witness John Hanks.

⁴ See Cause No. 44910, Final Order (Issued September 20, 2017), p. 23.

⁵ See Exhibit No. 3: Verified Direct Testimony of Petitioner's Witness Matthew A. Rice, Attachment MAR-4.

TABLE 1: CEI SOUTH'S CURRENT RATES AND CHARGES	
Description of Charge	Monthly Bill Impact of Residential Customer Using 1,000⁶ kWh/Mo.
Customer Facilities Charge	\$10.84
Energy Charge	\$90.26
Fuel Charge	\$38.32
Variable Production Charge	\$4.68
Fuel Adjustment Clause	\$(4.04)
Demand Side Management Adjustment	\$7.39
Clean Energy Cost Adjustment	\$2.16
Environmental Cost Adjustment	\$8.26
MISO Cost and Revenue Adjustment	\$5.41
Reliability Cost and Revenue Adjustment	\$(7.46)
Transmission, Distribution, and Storage System Improvement Charge	\$2.77
Total (Excluding Taxes)	\$158.58

1 Table 2 summarizes the monthly cost impact of CEI South's recent
2 requests that are not yet included in its electric rates.

⁶ The use of 1,000 kWh/month metric is the standard by which the Commission analyzes and compares residential electric bills in its annual billing surveys and has been the Commission's standard for doing so for at least 20 years. The 1,000 kWh/month standard is also used in OUCC testimony for Petitioner's quarterly FAC docket and FAC cases for other investor-owned utilities, to show the incremental change between one FAC filing and the next.

TABLE 2: CEI SOUTH'S RECENT CPCN FILINGS AND OTHER RECOVERY REQUESTS			
Cause No.	Pending or Approved	Description of Request	Estimated Monthly Bill Impact (1,000 kWh/mo.)
45564	Approved	CPCN for A.B. Brown Combustion Turbines	\$23.00 ⁷
45722	Approved	Securitization	\$(5.00) ⁸
45754	Approved	CPCN for Pike County Solar Project	\$6.00 ⁹
45836	Pending	CPCN for New Wind Generation	\$19.86 ¹⁰
45839	Pending	Amendments to Vermillion Solar and Warrick Solar PPAs	\$5.30 ¹¹
		Total	\$49.16

1 The OUCC has received many public comments¹² to date in this docket
2 and in other recent cases regarding the rising costs and affordability of CEI

⁷ See Cause No. 45564, Direct Testimony of Petitioner's Witness Matthew A. Rice, p. 41, ll. 14-20. Please note that this is an approximate cost, as CEI South considered the actual residential monthly bill impact to be Confidential (Confidential Attachment MAR-7).

⁸ See Cause No. 45722, Direct Testimony of Petitioner's Witness Matthew A. Rice, p. 20.

⁹ See Cause No. 45754, Direct Testimony of Petitioner's Witness Matthew A. Rice, p. 23, ll. 25-26, through p. 24, ll. 1-5. Please note that this is an approximate cost, as CEI South considered the actual residential monthly bill impact to be Confidential (Confidential Attachment MAR-3). Additionally, the monthly bill impact may increase or decrease depending on CEI South's ability to qualify for tax credits and sell Renewable Energy Credits ("RECs"). (See Settlement Agreement between CEI South, the OUCC, and Citizens' Action Coalition.)

¹⁰ See Rice Direct, Attachment MAR-3.

¹¹ See Cause No. 45839, Direct Testimony of Petitioner's Witness Matthew A. Rice, p. 24, ll. 15-29. Please note this does not include REC sales. Additionally, this represents an incremental increase of \$1.50/mo. from the originally approved PPAs in Cause Nos. 45501 and 45600.

¹² See, Public's Ex. 4, Submission of Consumer Comments.

1 South's rates.¹³ The OUCC is also aware the Evansville City Council has voiced
2 its concern regarding CEI South's recent rate increases.¹⁴ The individual rate
3 impact of the Wind Project is substantial even when compared to other
4 simultaneously proposed CEI South rate increases.

III. CEI SOUTH'S LACK OF TRANSPARENCY IN THIS DOCKET

5 **Q: What information has CEI South chosen to keep confidential in this case?**

6 A: CEI South has redacted basic information about this project from its case-in-chief,
7 unilaterally choosing to deem as confidential:

- 8 • The project's capacity;
- 9 • The project location;
- 10 • The project name;
- 11 • The project developer;
- 12 • The project's current status in the MISO queue;
- 13 • The current status of local permit and zoning approvals; and
- 14 • The status of other renewable projects CEIS South is pursuing.

15 Furthermore, CEI South used the levelized cost of energy ("LCOE") when
16 comparing costs between different projects and selected the wind project in

¹³ See, Cause No. 38708 FAC 137, Public Ex. 3 (187 consumer comments arguing against requested \$13.20/mo. increase for gas costs); Cause No. 45564, Public Ex. 5 (6 volumes of consumer comments opposing CEI South's request to build two new gas turbines).

¹⁴ See OUCC Attachment KGL-4: Carter, M. (February 15, 2022) *CenterPoint Energy under fire for rising bill costs in Evansville*. WFIE Channel 14 News. <https://www.14news.com/2022/02/16/evansville-city-council-sends-letter-centerpoint-energy-behalf-residents>.

See also, OUCC Attachment KGL-5: City of Evansville Common Council, *February 14, 2022, Meeting Minutes*. Accessible at: <https://www.evansville.in.gov/egov/apps/services/index.egov?view=detail:id=13>.

1 relation to other wind proposals. A major factor in calculating LCOE is the
2 amount of energy generated by the project, which has been kept confidential.

3 According to CEI South, the project was selected over other wind
4 development projects based on the factors of cost (compared by project LCOE),
5 project/development certainty, location, and developer experience.¹⁵ CEI South
6 states that this information must remain confidential in order to protect trade
7 secrets, namely the identity of the project itself and its developer.¹⁶ However, CEI
8 South has chosen to redact information beyond what is needed to protect
9 legitimate trade secret data.

10 **Q: Does this degree of confidentiality comply with the doctrine of open**
11 **government and transparency?**

12 A: No. Basic information that has been used to justify the CPCN and would be used
13 by the Commission to evaluate CEI South's petition has been presented as
14 confidential by the Petitioner. Thus, the public has in effect been excluded from
15 the process. Official actions of Indiana public agencies must "be conducted and
16 taken openly" (Ind. Code § 5-14-1.5-2). However, this petition cannot be
17 considered an open process if pertinent information (particularly location and
18 capacity) is shielded from public view.

19 **Q: Can you give an example of how this has affected your review in this Cause?**

20 A: Yes. The Build Transfer Agreement ("BTA") which CEI South has provided in
21 this petition is a detailed document containing [REDACTED]

¹⁵ See Petitioner's Exhibit No. 2: Verified Direct Testimony of F. Shane Bradford, p. 11, ll. 3-4.

¹⁶ See *Petitioner's Motion for Protection and Nondisclosure of Confidential and Proprietary Information*, Cause No. 45836, January 10, 2023.

1 [REDACTED]
2 [REDACTED]. It contains most expected provisions for a large project including Buyer
3 and Developer responsibilities, representations and warranties, general project
4 descriptions, project contract and agreement management provisions, Purchase
5 Price, payment milestones with holdbacks, termination provisions,
6 indemnifications, closing requirements and other provisions.

7 A project of this size requires careful contracting details and the BTA
8 contains many of the basic requirements. However, it does not contain [REDACTED]
9 [REDACTED]

10 [REDACTED]. It also does not provide
11 significant details of [REDACTED]
12 [REDACTED]. What is notable is that

13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]

17 **Q: Does the OUCC object to the BTA in its current form?**
18 A: Yes. The OUCC has reviewed multiple utility filings in the last two years
19 requesting additional money from ratepayers due to the inflation of costs for
20 renewable energy projects. The BTA has no protections against a significant
21 change in price for this project. Without any protections CEIS consumers have no
22 guarantee the requested CPCN will deliver electrical service that meets a just and
23 reasonable cost standard, which is the obligation of CEI South.

1 **Q: What is missing from the BTA that the OUCC sees as a minimum**
2 **requirement?**

3 A: The OUCC believes the BTA cannot be in the public interest if it does not include
4 binding price and capacity guarantees. Without these provisions, CEIS ratepayers
5 could end up paying significantly higher costs, in addition to the highest electric
6 rates in the state which they are already paying.¹⁷

7 The OUCC recognizes the current renewable project demand generated by
8 current tax incentives. Ratepayers should receive some of those benefits to
9 encourage adoption of renewable energy. If utilities do not adopt stricter sourcing
10 practices to control costs, developers' margins will increase and costs per kWh
11 will continue to become less affordable.

12 **Q: Are there other items in the BTA that concern the OUCC?**

13 A: The OUCC is concerned by the fact that the [REDACTED] in CEI
14 South's attached BTA are non-binding, so consumers have no protections or
15 assurances. One other item in the BTA is the stated capacity of the project. The
16 pricing assumptions in the BTA include a nameplate capacity of [REDACTED] MW and
17 Net Capacity Factor ("NCF") of 40.58%¹⁹, which yields [REDACTED] Megawatt hours
18 ("MWh") of generation. This capacity factor is significantly higher than MISO's
19 Seasonal Accredited Capacity Value and does not consider the potential line
20 losses. [REDACTED]

¹⁷ See Attachment KGL-3: 2022 IURC Annual Report, Appendixes G and H.

¹⁸ See Attachment FSB-2 (Confidential), p. 37.

¹⁹ See Attachment FSB-4 (Public), p. 2.

1 [REDACTED] When combining these factors, the amount of usable generation is likely
2 to be [REDACTED]

IV. CEI SOUTH'S REQUESTED TREATMENT

3 **Q: What is CEI South's proposed cost recovery mechanism?**

4 A: CEI South seeks Commission approval to include its proposed Wind Project in its
5 next base rate case.²⁰ Due to a statutory provision in I.C. § 8-1-39-9(e) governing
6 Transmission, Distribution, and Storage System Improvement Charge ("TDSIC")
7 plans, CEI South is required to file a general electric rate case no later than
8 December 31, 2023, when its current TDSIC plan expires.²¹ Petitioner's witness
9 Matthew A. Rice testifies that CEI South anticipates this Wind Project's in-
10 service date would fall within the future test year reconciliation period and,
11 therefore, would be includable in base rates.²² If the Wind Project is not included
12 in CEI South's rate base, Mr. Rice recommends the Commission approve timely
13 recovery through inclusion in the CEI South's CECA rider filings.

14 **Q: If the Commission approves the Wind Project's inclusion in base rates, will**
15 **CEI South withdraw its request for CECA Rider cost recovery?**

16 A: No. CEI South still plans to use the CECA filing to reflect the Wind Project's
17 Production Tax Credits and Renewable Energy Credits ("RECs"), as well as any

²⁰ See Petition, section 4(b), pp. 6-7.

²¹ See Rice Direct, p. 21, ll. 4-12.

²² See Rice Direct, p. 21, ll. 13-15.

1 deferred operations and maintenance expense and property taxes, even if the bulk
2 of the project's costs are included in the rate case's reconciliation period.²³

3 **Q: What is CEI South currently recovering through the CECA Rider filings?**

4 A: The Commission approved CEI South's pilot program in Cause No. 44909, a rider
5 with two 2 MW solar projects, one of which has an attached 4 MW battery energy
6 storage system ("BESS"), as well as an urban rooftop solar installation at the
7 historic Post House building in downtown Evansville for 120 kW. Additionally,
8 CEI South is recovering the levelized costs of the Troy Solar 50 MW solar project
9 approved in Cause No. 45086.

10 **Q: Are you familiar with the Cause No. 44909 filing?**

11 A: Yes. I reviewed and filed testimony in Cause No. 44909 CECA-1 through CECA-
12 4.

13 **Q: What is the CEI South's estimated cost for its Wind Project in this Petition?**

14 A: According to Petitioner's witness F. Shane Bradford's Table FSB-1, the estimated
15 cost of the Wind Project is \$636 million.²⁴

16 **Q: What is the estimated life of the Wind Project?**

17 A: CEI South estimates the Wind Project's expected life is 30 years and proposes to
18 use a depreciation rate of 3.33% to reflect that expectation.²⁵

19 **Q: What is the estimated impact of this project on residential bills?**

20 A: As I noted above, the estimated year 1 impact on the bill of a residential customer
21 using 1,000 kWh each month, according to Mr. Rice's testimony, will be
22 \$19.86.²⁶ In response to an OUCC data request, CEI South indicated that in its

²³ See Petitioner's Exhibit No. 4: Verified Direct Testimony of Chrissy M. Behme, p. 5, ll. 11-17.

1 forecasted netting of RECs and its stated average residential customer use, the
2 monthly bill impact would be \$15.51.²⁷

3 **Q: Did CEI South include any other net forecasted offset opportunities through**
4 **pursuing this Wind Project rather than alternative generation options?**

5 A: In response to OUCC discovery, CEI South replied that an initial calculation was
6 performed by Mr. Rice in Cause No. 45564 which resulted in an approximate \$7
7 increase to residential customers, based on the net monthly impact of Petitioner's
8 Generation Transition Plan.²⁸ However, CEI South also stated the net monthly
9 impact calculation had not been updated with the latest estimates. CEI South's
10 response concluded that Cause No. 45564 had estimated an increase of \$17/month
11 for installing 350 MW of wind projects and that the estimated cost in this Cause is
12 close to that figure.²⁹

13 **Q: What is your recommendation regarding CEI South's cost recovery request**
14 **in this filing?**

15 A: I recommend the Commission deny CEI South's request to recover charges from
16 its customers for this project. I am concerned with the estimated \$636 million cost
17 of this Wind Project given the lack of cost overrun protections and that CEI South
18 does not have experience owning wind energy on its system.

²⁴ See Petitioner's Exhibit No. 2, Verified Direct Testimony of F. Shane Bradford, p. 16.

²⁵ See Petitioner's Exhibit No. 4; Verified Direct Testimony of Chrissy M. Behme, p. 8, ll. 9-22.

²⁶ See Rice Direct, p. 23, ll. 6-14 and Attachment MAR-3.

²⁷ See Attachment KGL-2, CEI South's response to OUCC DR-1, p. 2.

²⁸ See Attachment KGL-2, CEI South's response to OUCC DR-1, p. 3.

²⁹ *Id.*

1 Further, the project costs in this filing have a [REDACTED] monthly bill
2 impact with a [REDACTED] in capacity, as compared to the net monthly impact
3 of \$17 for 350 MW of wind projects cited by CEIS in Cause No. 45564.³²

4 If the Commission approves CEI's Wind Project, I recommend the
5 recovery schedule timeline be adjusted to mitigate the rate impact on CEI South's
6 customers who, according to the Commission's most recent Annual Report, have
7 been paying the highest electric rates in the state since 2013.³³

V. CEI SOUTH'S GENERATION TRANSITION STATUS

8 **Q: How does this Wind Project request fit into CEI South's larger Generation**
9 **Transition Plan?**

10 A: As further discussed by other OUCC witnesses, CEI South's larger Generation
11 Transition Plan is experiencing multiple problems. The Posey County Solar
12 Project approved in Cause No. 45501 is downsizing from 300 MWac to 191
13 MWac and CEI South is requesting revisions in Cause No. 45847. Additionally,
14 CEI South has filed petitions to revise previously approved solar projects in Knox
15 County, Warrick County, and Vermillion County.

16 **Q: What impact is Cause No. 45847, Posey County Solar Project, expected to**
17 **have on rates?**

³⁰ Difference between cost proposed in this filing and the \$17 monthly bill presented in Cause No. 45564, divided by the \$17 bill.

³¹ Difference between capacity proposed in this filing and the 350 MW presented in Cause No. 45564, divided by 350 MW.

³² See Attachment KGL-2: CEI South's response to OUCC DR 1, p. 3.

³³ See Attachment KGL-3: 2022 IURC Report, Appendix G and Appendix H.

1 A: According to Mr. Rice, the estimated monthly impact on residential rates would
2 be approximately \$12 on a 1,000 kWh bill. This is an increase from the original
3 estimate of \$11 per month, as presented in Cause No. 45501.³⁴ This BTA solar
4 project is being reduced to under two-thirds of its original proposal and is
5 experiencing a 9% cost increase.

6 **Q: What impact is Cause No. 45786, CEI South's Knox County Solar Project**
7 **PPA, expected to have on rates?**

8 A: According to Mr. Rice's testimony in that pending cause, the estimated monthly
9 impact on residential rates would be \$3 on a 1,000 kWh bill. This is an increase
10 from the original estimate of \$2 per month in Cause No. 45600.³⁵ This project is a
11 solar PPA for 150 MW which, if approved, would be an additional \$1 on
12 customer bills or an effective 50% increase in cost impact from the previous
13 estimated amount.

14 **Q: What impact are the Vermillion Solar Project and Warrick County Solar**
15 **Project in Cause No. 45839 expected to have on rates?**

16 A: According to Mr. Rice's testimony in that pending cause, the estimated monthly
17 impact on residential rates from the 185 MW Vermillion Solar Project would be
18 \$3.60 on a 1,000 kWh bill. This was an increase from the original estimate of
19 \$2.40 per month in Cause No. 45600. The 100 MW Warrick County Solar
20 Project's new estimated monthly impact on residential bills is \$1.70, which was
21 an increase of \$0.30 from the Cause No. 45600 estimate of \$1.40. These projects

³⁴ See Cause No. 45847 Exhibit No. 3: Verified Direct Testimony of Matthew A. Rice, p. 25, ll. 13-30.

³⁵ See Cause No. 45786 Exhibit No. 3: Verified Direct Testimony of Matthew A. Rice, p. 21, ll. 18-28.

1 are both solar PPAs and had cost impact increases of 50% and 21% respectively,
2 for a total estimated monthly bill impact of \$1.50 for residential customers.

3 **Q: What is your conclusion regarding the trends in CEI South's Generation**
4 **Transition Plan and what relevance does it have for the request in this**
5 **Cause?**

6 A: Each of the above petitions for CEI South's Generation Transition Plan projects
7 have demonstrated needed revisions due to increases in costs. If each of the
8 project increases are approved, a residential bill (1,000 kWh) will be \$3.50 higher
9 than under CEI South's original approved estimates, with 109 MW lower
10 generation than projected due to the downgrade of the Posey County Solar
11 Project. The PPA arrangements are much cheaper and have not reported
12 downgrades in scale. Even in this portfolio of renewable energy options, the Wind
13 Project is higher in cost at lower generation scaling. Therefore, I recommend the
14 Commission deny the Wind Project.

VI. OUCC RECOMMENDATIONS

15 **Q: Please summarize your recommendations to the Commission in this cause.**

16 A: I recommend denying cost recovery for the Wind Project due to its high capital
17 cost and projected impact on ratepayer bills. This recommendation is supported
18 by OUCC Witnesses John Hanks and Brian Latham. If the Commission sees fit to
19 grant the CEI South Wind Project, I recommend the Wind Project's recovery be
20 limited to a levelized cost per kWh based on CEI South's estimated annual
21 production from the Wind Project, similar to what was recommended by the
22 OUCC in Cause No. 45086 for the Troy Solar Project and proposed by CEI South
23 in approved Cause No. 45501 for the Posey County Solar Project.

1 **Q:** Does this conclude your testimony?

2 **A:** Yes.

APPENDIX A

1 **Q: Please describe your educational background and experience.**

2 A: I graduated from the Kelley School of Business of Indianapolis in 2014 with a
3 Bachelor of Science in Business with majors in Accounting and Finance. I am
4 licensed in the State of Indiana as a Certified Public Accountant. I attended the
5 National Association of Regulatory Utility Commissioners ("NARUC") Spring
6 2018 Conference held by New Mexico State University. In August 2019, I
7 attended the Intermediate Rate Course at Michigan State University held by the
8 Institute of Public Utilities. In September 2019, I attended the annual Society of
9 Depreciation Professionals conference held in Philadelphia and the Basics of
10 Depreciation course.

11 **Q: Have you previously testified before the Commission?**

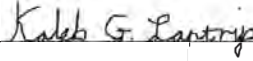
12 A: Yes.

13 **Q: Please describe your duties and responsibilities at the OUCC.**

14 A: I review Indiana utilities' requests for regulatory relief filed with the Indiana
15 Utility Regulatory Commission. This involves, among other things, reading
16 testimonies of petitioners and intervenors, previous orders issued by the
17 Commission, and any appellate opinions to inform my analyses. I prepare and
18 present testimony based on these analyses and make recommendations to the
19 Commission on behalf of Indiana utility consumers.

AFFIRMATION

I affirm, under the penalties for perjury, that the foregoing representations are true.



Kaleb G. Lantrip
Utility Analyst II
Indiana Office of Utility Consumer Counselor
Cause No. 45836
CenterPoint Energy

Date: February 27, 2023

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II. UPDATE ON ULRC PROJECT

Q. What is the current status of the ULRC Project?

A. The ULRC is part of a larger, mixed-use, multifamily development called the “Post House” which is entering the final stages of construction and is estimated to be complete by April 1, 2020. Throughout this testimony “Post House” refers to the overall developer-owned property and buildings, and “ULRC” refers to Vectren South’s specific interests within the Post House, although the terms are often used interchangeably. The Post House/ULRC originated as a partnership in response to the Regional Cities Initiative, which aims to retain and attract talent by enhancing the quality of Indiana communities. In December of 2015, the State of Indiana chose Southwest Indiana as one of three regions to receive \$42 million in state matching funds geared toward economic development. The ULRC will include a mix of smart energy using devices that will help the Company research new products and services to help customers manage their energy use. The Company was awarded \$1 million in funding from the Department of Energy’s Building Technologies Office to utilize toward the ULRC to advance research in grid-interactive buildings in partnership with Oak Ridge National Laboratory. Based on actual construction of the facility and the available rooftop space, Vectren South plans to install approximately 200kW-DC of rooftop solar. Due to concerns related to the placement of Lithium-ion batteries indoors, the batteries originally selected for the BESS for the ULRC were removed from the project scope and will not be installed at this time. Seeking an alternative, the Company jointly investigated, with DOE and Oak Ridge National Laboratory, the possibility of substituting an alternative battery technology in place of the Lithium-ion systems; however, no suitable solution has been found at this time. Ultimately, the learning benefits of the battery storage portion of the project did not outweigh the safety risks to make the indoor installation consistent with recent safety standards and best practices.

Q. What was the original scope of the battery storage project?

A. The purpose of the BESS project at the ULRC was to enable Vectren South to understand

1 and develop new grid benefits afforded by energy storage, whether located in front of or
2 behind the customer meter. To that end Vectren South designed two battery storage
3 applications. The first was a shared battery storage application using a single commercial-
4 scale system, and the second was a residential battery storage system using 20
5 residential-scale batteries.

6

7 **Q. Were there limitations in the Project that impacted the design of the battery storage**
8 **systems?**

9 A. Yes. Due to site location and available space, both battery storage systems had to be
10 designed to be located inside the Post House facilities.

11

12 **Q. What was the purpose and scope of the shared battery storage application?**

13 A. The shared battery storage application was designed with a single commercial-scale
14 battery storage system with storage capacity of approximately 180 kWh. The shared
15 battery storage system was to be installed in front of the customer meter, with 8 apartment
16 units sharing the capacity of the one battery system. In the event of an outage, each of
17 the 8 apartment tenants would continue to draw down a portion of the stored energy for
18 critical loads such as hot water and space heat, lighting, refrigeration, and some
19 receptacles. During normal grid conditions, Vectren South would have the ability to control
20 the battery for peak load management, demand response, and frequency regulation. A
21 Con Edison Clean Energy Businesses (ConEdison CEB), formerly Johnson Controls
22 (JCI), solution was selected for this application.

23

24 **Q. What was the purpose and scope of the residential battery storage application?**

25 A. The residential battery storage application was designed using 20, 12.5 kWh residential-
26 scale battery storage systems, each tied individually to a separate apartment. These
27 batteries were to be installed behind the customer meter and operate in the same manner
28 as a customer owned battery system. The batteries served critical loads in each
29 respective apartment unit, and under normal grid conditions, Vectren South could control
30 the batteries to dispatch them for peak load management, load shifting, and other
31 purposes. The batteries were designed to be aggregated and dispatched together to serve
32 the grid as a collective, virtual peaking device. Sonnen batteries were selected for this

1 application.

2

3 **Q. What standards were used in designing the battery storage systems?**

4 A. The project was initially designed to then current building and electrical codes.

5

6 **Q. Are there any new codes and standards that address matters pertaining to battery**
7 **storage?**

8 A. As battery storage technology has proliferated, new practices governing the safe
9 application of battery storage have been captured and new standards have been
10 proposed. The National Fire Protection Association (NFPA) issued a new standard for the
11 "Installation of Stationary Energy Storage Systems" (NFPA 855), which debuted in the
12 2020 edition. This standard contains new requirements for stationary battery storage
13 systems tailored to various environments, configurations, and battery types. Another new
14 standard is UL9540a, which became ANSI-accredited in November of 2019 and contains
15 the standard for large-scale fire testing. The battery solutions Vectren South selected
16 were UL-listed according to the typical listings for battery systems, but UL9540a is so new,
17 while large-scale battery testing is mentioned in NFPA 855 as a path to exemption of the
18 default standard prescribed by 855, it is not specifically named because it had not yet been
19 accredited. UL9540a is prescribed to evaluate the intrinsic risk in the event of fire due to
20 failure of a battery system. The testing specification involves defeating all safety
21 mechanisms and intentionally causing battery failure to observe and evaluate the results
22 in a controlled environment. In addition to the aforementioned changes, emerging
23 revisions of the National Electrical Code (NEC) and International Fire Code (IFC) are
24 gradually capturing lessons learned from real-world battery storage system experience
25 and imposing new requirements on battery projects. The version of the NEC that was in
26 effect in Indiana during the design phase of the ULRC battery storage application (and is
27 still in effect) is the 2008 code. Versions of the NEC through the 2014 revision included
28 some treatment of lead-acid battery storage for Uninterruptible Power Supply (UPS)
29 applications, which were not totally relevant to the Lithium-ion project planned for the
30 ULRC. Treatment of Lithium-ion battery storage has emerged only as of the 2017 NEC
31 which is multiple iterations ahead of the current code governing the ULRC design. The
32 next iteration of the IFC containing best practices for battery storage installations will

1 emerge in 2021.

2

3 **Q. Did the new codes and standards introduce new safety requirements that were not**
4 **already designed into the system?**

5 A. Yes. For example, NFPA 855 requires explosion prevention and/or deflagration venting
6 for indoor large-scale Lithium-ion battery storage installations over 50 kWh of storage
7 capacity. This requirement is intended to prevent the buildup of flammable gases in the
8 event the battery system catches on fire, increasing the safety for first responders and
9 building inhabitants. Large-scale fire testing is required by the newest battery storage
10 codes and standards as it is currently the best practice to design the most effective
11 mitigations of the risks posed by battery failure.

12

13 **Q. Did any real-world events affect the ULRC battery storage project design?**

14 A. Yes. Several real-world events emphasized the importance of adhering to the most recent
15 battery storage installation standards that leverage the most recent industry learnings and
16 best practices. Most notably, a containerized, utility-scale system in Arizona failed
17 resulting in a fire and injured a first responder. This and other recent events reinforced the
18 need to fully understand and implement the highest standards of safety in the battery
19 storage design, especially in the ULRC sharing the building with potentially hundreds of
20 residents.

21

22 **Q. What challenges did Vectren South discover during design of the battery storage**
23 **systems?**

24 A. Vectren South learned several key lessons in the process of scoping and designing indoor
25 battery storage systems. One current challenge is that the battery storage industry is
26 maturing and while codes, standards, and best practices are emerging, they are trailing
27 state-of-the-art technology. This makes it challenging and costly to integrate cutting-edge
28 battery storage technology in buildings, especially residential buildings occupied at all
29 times, while preserving the highest safety margins. Given that battery storage designs as
30 well as codes and standards are rapidly evolving, today's battery storage design may not
31 keep pace with changing requirements and may not meet the best practices within a few
32 years, or worse, may require significant modifications to ensure its continued safe

1 operation. A key lesson is that outdoor installations are currently better suited to utilities
2 seeking to capture the value of battery storage integrations on their system. There is still
3 substantial value in integrating battery storage in buildings, and the ULRC is a good
4 opportunity to showcase the benefits; however, close integrations of occupied buildings
5 and Lithium-ion battery storage should follow deeper understanding of causes and
6 mitigation of risks inherent in the technology.

7
8 **Q. Did Vectren South experience any additional hurdles preventing the installation of**
9 **the battery storage equipment?**

10 A. Yes. During the detailed risk investigation carried out by Vectren South and its partners,
11 one of the battery vendors notified the project team that due to some difficulty in sourcing
12 small systems as well as a strategic shift in their business to focus on much larger
13 systems, the company discontinued its line of commercial-scale battery storage
14 equipment to focus on large, utility-scale, containerized solutions.

15
16 **Q. Will Vectren South continue to move forward with the battery storage system as**
17 **designed?**

18 A. No. Based on the challenges, Vectren South has elected to eliminate the battery storage
19 system from the Project scope.

20
21 **Q. Is the ULRC configured to potentially accommodate indoor battery storage in the**
22 **future?**

23 A. Yes. The design work Vectren South accomplished with the developer to configure the
24 building itself to accommodate battery storage is preserved in the building construction.
25 The electrical circuits have been configured allowing for the option to potentially insert
26 battery storage in the future.

27
28 **Q. What is the status of the rooftop solar component of the project?**

29 A. Vectren South has completed the design of the rooftop solar and has obtained pricing for
30 the procurement and construction through a competitive bidding process. After
31 accounting for required clearances, and placement of rooftop mechanicals and other
32 protrusions required for the building, the design rooftop solar capacity will allow

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

**VERIFIED PETITION OF SOUTHERN INDIANA GAS AND)
ELECTRIC COMPANY d/b/a CENTERPOINT ENERGY INDIANA)
SOUTH (“CEI SOUTH”) FOR AN ORDER: (1) GRANTING CEI)
SOUTH A CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY, PURSUANT TO IND. CODE CH. 8-1-8.5, TO)
PURCHASE AND ACQUIRE, THROUGH A BUILD TRANSFER)
AGREEMENT (“BTA”), A WIND ENERGY GENERATING)
FACILITY (THE “WIND PROJECT”); (2) FINDING THE WIND)
PROJECT CONSTITUTES A CLEAN ENERGY PROJECT UNDER)
IND. CODE CH. 8-1-8.8; (3) APPROVING ASSOCIATED)
RATEMAKING AND ACCOUNTING TREATMENT FOR THE)
WIND PROJECT PURSUANT TO IND. CODE CH. 8-1-8.5 AND § 8-)
1-8.8-11; (4) AUTHORIZING CEI SOUTH TO ACCRUE POST-IN-)
SERVICE CARRYING COSTS (“PISCC”) AND DEFER)
DEPRECIATION, OPERATIONS AND MAINTENANCE (“O&M”))
AND PROPERTY TAX EXPENSES ASSOCIATED WITH THE)
WIND PROJECT; (5) IN THE EVENT THE CPCN IS NOT)
GRANTED OR THE WIND PROJECT OTHERWISE IS NOT)
PLACED IN SERVICE, GRANTING AUTHORITY TO DEFER, AS)
A REGULATORY ASSET, COSTS ASSOCIATED WITH THE)
WIND PROJECT FOR FUTURE RECOVERY THROUGH RETAIL)
ELECTRIC RATES; (6) PROVIDING FOR ONGOING REVIEW OF)
THE WIND PROJECT; (7) AUTHORIZING THE)
ESTABLISHMENT OF DEPRECIATION RATES FOR THE WIND)
PROJECT; (8) APPROVING, TO THE EXTENT NECESSARY, AN)
ALTERNATIVE REGULATORY PLAN (“ARP”) WITH RESPECT)
TO THE WIND PROJECT UNDER IND. CODE CH. 8-1-2.5; AND (9))
APPROVING CONFIDENTIAL TREATMENT OF THE BTA)
PRICING AND OTHER NEGOTIATED COMMERCIAL TERMS)
AND RELATED CONFIDENTIAL INFORMATION.)**

CAUSE NO. 45836

**CEI SOUTH’S RESPONSE TO INDIANA OFFICE OF UTILITY CONSUMER COUNSEL’S
FIRST SET OF DATA REQUESTS**

Southern Indiana Gas and Electric Company d/b/a CenterPoint Energy Indiana South (“Petitioner,” “CEI South” or “Company”) pursuant to 170 IAC 1-1.1-16 and the discovery provisions of Rules 26 through 37 of the Indiana Rules of Trial Procedure, by its counsel, hereby submits the following Objections and Responses to the Indiana Office of Utility Consumer First Set of Data Requests to CEI South dated February 1, 2023 (“Requests”).

General Objections

Q 1.2: See attached IURC report on yearly residential electric bills. Since 2013, CEI South has had the highest average bill in Indiana. How does CEI South reconcile the proposed cost savings potential of this wind project when its forecasted bill impact would be an 11.78% increase on its 2022 listed bill?

Objection: Petitioner objects to the foregoing Request on the grounds and to the extent it contains an incorrect premise, asserting “[s]ince 2013, CEI South has had the highest average bill in Indiana”. *See* 2022 Residential Bill Survey for Rate Jurisdictional Electric Utilities.

Response: Subject to, and without waiver of, the foregoing objections, Petitioner provides: CEI South’s 2019/2020 Integrated Resource Plan (“IRP”) comprehensively evaluated generation options to meet customer needs over the next 20 years and demonstrated that incorporating wind and other renewable resources will result in lower customer costs than alternatives such as the continued use of CEI South’s existing coal fired generation resources. Considering the 1,000 kWh benchmark in a vacuum would not be representative of the cost savings that could be achieved during the Petitioner’s generation transition nor the potential impact on customer rates. First, the average residential customer’s Average Use Per Customer is closer to 860 kWh (than 1,000 kWh) per month. Additionally, CEI South’s current practice is to sell RECs into the market which will help mitigate the impact to residential bills. Accordingly, as shown in Petitioner’s Exhibit No. 3, Attachment MAR-4 (CONFIDENTIAL), the approximate impact to residential monthly bills would be \$15.51, which does not reflect the significant O&M and fuel savings from which customers will benefit due to the retirement of 730 MWs of coal generation and securitization of Petitioner’s AB Brown Units 1 & 2.

Q 1.3: Regarding the testimony of Matthew A. Rice, page 22, lines 8-14 and page 25 lines 13-30, has CEI South quantified other savings from the associated Generation Transition Plan, such as estimated fuel cost savings from renewable generation? If so, please provide a workpaper supporting this savings calculation. If CEI South has not performed such a study, please explain why.

Response: In Cause No. 45564, in Petitioner’s Exhibit No. 3 – the Direct Testimony of Witness Rice, CEI South provided an initial calculation of the net monthly impact of Petitioner’s Generation Transition Plan on residential customers; at page 43, Mr. Rice estimated the net monthly impact to a residential bill could be approximately \$7. This net monthly impact of Petitioner’s Generation Transition Plan has not been updated with the latest estimates.

While CEI South has not updated the net monthly bill impact of Petitioner’s Generation Transition Plan, each subsequent generation transition filing has provided an estimated residential bill impact, on a project-by-project basis, using the latest information available for each respective generation project.

The net monthly bill impact provided in Cause No. 45564 included an estimated decrease of \$36 per month for expected O&M and fuel savings based on removal of these costs from base rates in 2024-2026 due to the retirement of FB Culley 2, AB Brown Units 1 & 2, and exit of the joint operating agreement with Alcoa for Warrick 4. This value was an estimate only and based on what was estimated to be removed from base rates due to the aforementioned retirements.

The net calculation in Cause No. 45564 also included an estimated savings for customers as a result of Petitioner’s securitization of AB Brown Units 1 & 2. The most recent estimate contained within Cause No. 45722 was \$5 per month. This estimate from 45722, however, does not reflect additional long-term savings from which customers will benefit following an order in Petitioner’s next electric base rate case¹.

Furthermore, the net monthly bill impact from Cause No. 45564 had an initial estimate of \$17 per month for 350 MWs of wind projects. It is important to note, however, this estimated bill impact for wind projects does not include sale of any RECs; and the total size (350 MWs) is different than the size of the wind project that is the subject of this filing (in Cause No. 45836). That said, the estimate for wind projects provided in Cause No. 45564 is close to the estimated monthly bill impact provided for the wind project that is the subject of this Cause.

¹ Regulatory asset associated with CEI South’s dense pack investment was included as a qualified cost within Cause No. 45722.



APPENDIX

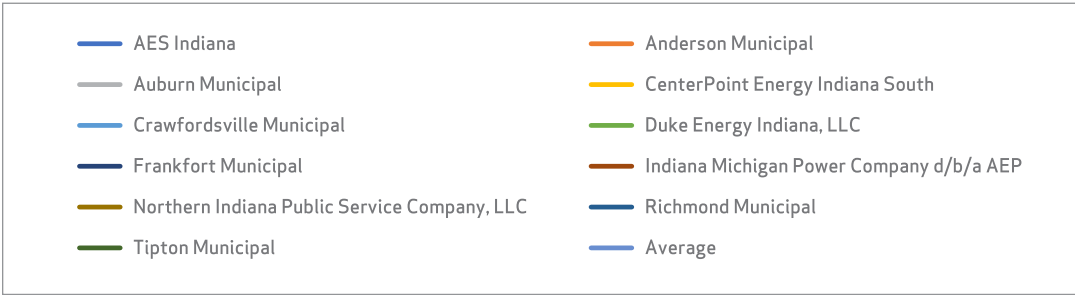
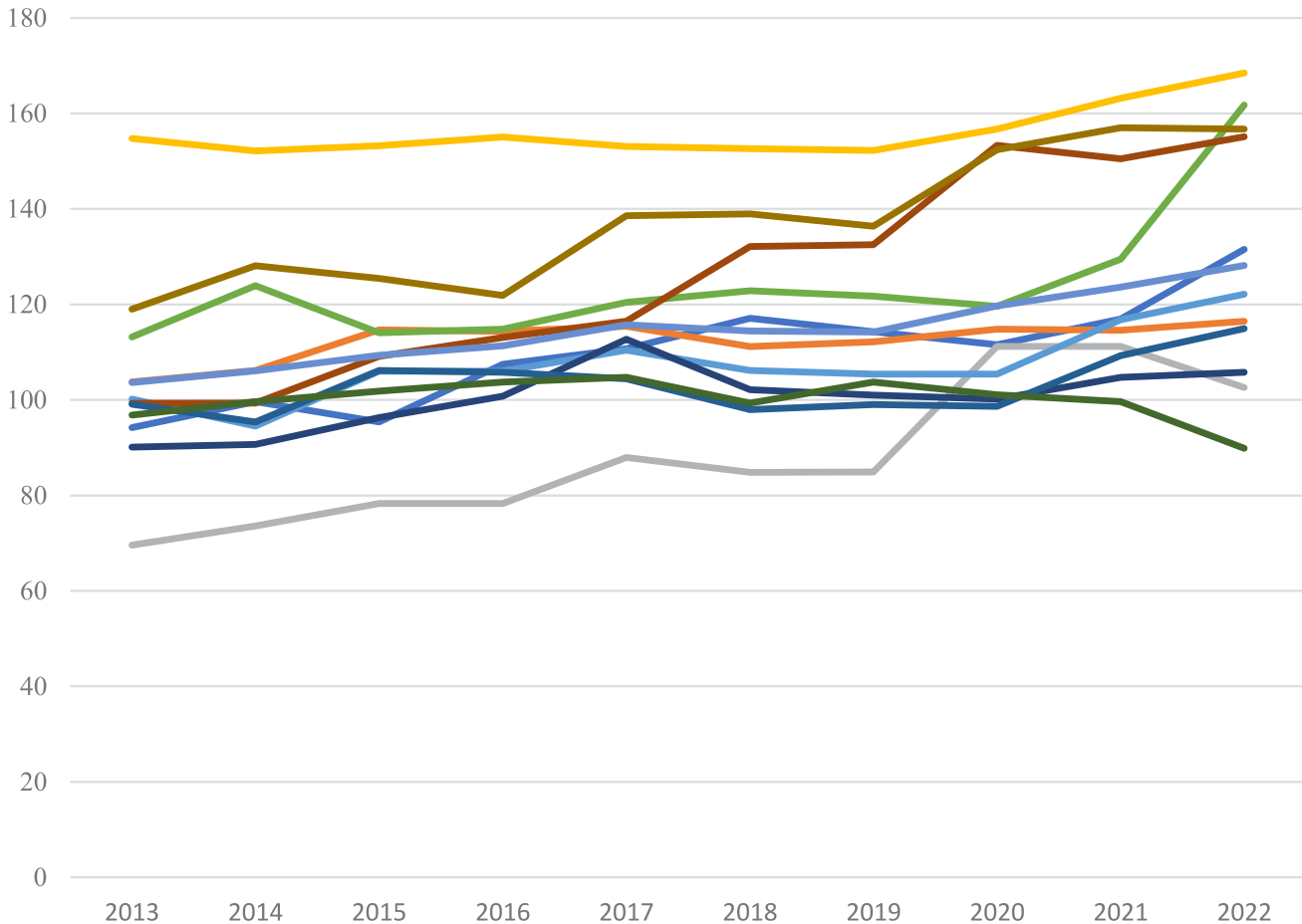
Residential Electric Bill Comparison

Residential Bill for 1,000 kWh Usage, July 1 of each year

MUNICIPAL UTILITIES	2022	2013	DOLLAR CHANGE	PERCENTAGE CHANGE
Anderson Municipal Light & Power Company	\$ 116.47	\$ 103.76	\$ 12.71	12.25%
Auburn Municipal Electric	\$ 102.57	\$ 69.58	\$ 32.99	47.41%
Crawfordsville Municipal Electric	\$ 122.14	\$ 100.18	\$ 21.96	21.92%
Frankfort Municipal Light & Power	\$ 105.81	\$ 90.11	\$ 15.70	17.42%
Lebanon Municipal Utilities - Electric	\$ 112.55	\$ 103.66	\$ 8.89	8.58%
Richmond Municipal Power & Light	\$ 114.93	\$ 99.12	\$ 15.81	15.95%
Tipton Municipal Electric	\$ 89.86	\$ 96.80	\$ (6.94)	-7.17%
MUNICIPAL UTILITIES	2022	2013	DOLLAR CHANGE	PERCENTAGE CHANGE
AES Indiana	\$ 131.53	\$ 94.19	\$ 37.34	39.64%
CenterPoint Energy Indiana South	\$ 168.47	\$ 154.77	\$ 13.70	8.85%
Duke Energy Indiana, LLC	\$ 161.77	\$ 113.18	\$ 48.59	42.93%
Indiana Michigan Power Company d/b/a AEP	\$ 155.13	\$ 99.29	\$ 55.84	56.24%
Northern Indiana Public Service Company, LLC	\$ 156.71	\$ 119.00	\$ 37.71	31.69%

Yearly Residential Electric Bill Comparison Chart

Residential Bill for 1,000 kWh Usage, July 1 of each year



5 Weather Alerts In Effect

CenterPoint Energy under fire for rising bill costs in Evansville



By Mitchell Carter

Published: Feb. 15, 2022 at 7:38 PM EST



EVANSVILLE, Ind. (WFIE) - The Evansville City Council drafted up a letter for CenterPoint Energy to send after their meeting on Monday, February 14.

Toward the end of the meeting, multiple customers testified on behalf of both themselves and their neighbors in regards to the rising CenterPoint Energy bills.

"It's getting to the point that people are talking about moving out of the area," said Evansville local Brittany Cox, "it's getting that bad."

Another local citizen that approached the podium and spoke to the council was Fred Mulfinger.

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With a seriousness to his voice, Mulfinger reiterated, "Utilities, which are a basic necessity of life, are not like our income-tax system where those who make more, pay more."

"Those in the greatest need, who typically suffer from the worst living and housing conditions," said Mulfinger, "pay the same flat-rate usage fee as those who have more than enough."

"We have, you know, a 4,000-square-foot building that we're heating," said local business owner, Laura Emmons, "so you're just like, oh my God, is my bill going to be as much as my rent this month?"

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The Facebook group, [Direct Action Against CenterPoint Energy](#), has over 7,000 members. With this kind of backing behind their cause, it indicates that these complaints are not just from a small sample size of residents.

14 News spoke with CenterPoint Energy representative and Evansville native Alyssia Oshodi, who expressed that CenterPoint hears the people of Evansville, they received the letter from city council, and they want to do whatever they can to keep their consumers satisfied.

"We are talking and having conversations with our local elected officials," said Oshodi. "We know customers have been in contact with them. Not only city council, but other representatives of our area who share the concerns of our customers."

Oshodi also said that they want to keep the dialogue going, and that they are entirely open to hearing from both legislators and their own consumers about issues.

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CenterPoint Energy [warned](#) people in late 2021 that the price of natural gas may rise, and bills would subsequently rise as well. However, they say that they are looking to continue dialogue with residents under their blanket of service, and will do what they can to ensure that everybody has a say.

To contact CenterPoint Energy you can visit their website [here](#) or call at (800)-227-1376.

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CITY OF EVANSVILLE COMMON COUNCIL

I. INTRODUCTION

ROLL CALL

COUNCIL MEMBERS PRESENT: 9

TROCKMAN, MOSBY, BURTON, ELPERS, BRINKMEYER, BEANE, MOORE, WEAVER,
HERONEMUS

COUNCIL MEMBERS ABSENT: 0

PLEDGE OF ALLEGIANCE

LED BY ATTORNEY JOSH CLAYBOURN

II. APPROVAL OF MEETING MEMORANDUM

**MOTION TO APPROVE JANUARY 24, 2022 MEMORANDUM: BEANE
SECOND: BURTON**

PASSED BY VOICE VOTE

III. REPORTS AND COMMUNICATIONS

EMAILED MATERIAL:

- Ordinances G-2022-03, F-2022-01 Amended, F-2022-02, F-2022-03, R-2022-04, R-2022-04 Amended, R-2022-04 Amended (2), R-2022-05, R-2022-06, R-2022-07, R-2022-08, R-2022-09
- Resolutions C-2022-01, C-2022-02, C-2022-02 Amended, C-2022-03, C-2022-04, C-2022-04 Amended, C-2022-05
- APC Report from February 2022

ON YOUR DESK THIS EVENING:

- Extended Agenda

**MOTION TO ACKNOWLEDGE THE REPORTS AND COMMUNICATIONS:
BRINKMEYER
SECOND: WEAVER**

PASSED BY VOICE VOTE

IV. SPECIAL ORDERS OF THE DAY

THERE ARE NO SPECIAL ORDERS TODAY.

V. CONSENT AGENDA: FIRST READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2022-03 An Ordinance to Vacate a Portion of a 12 Foot Evansville Water and Sewer Utility Sanitary Sewer Easement Located on Lot 2 in River Valley, as Recorded in Plat Book V, Page 70 in the Office of the Recorder of Vanderburgh County Indiana

Sponsor(s): Trockman
Discussion Led By: Public Works Chair **Discussion Date:** 2/28/2022
Brinkmeyer
Notify: Douglas Bacon, Morley

ORDINANCE F-2022-02 An Ordinance of the Common Council of the City of Evansville Authorizing Transfers of Appropriations, Additional Appropriations and Repeal and Re-Appropriation of Funds for Various City Funds

Sponsor(s): Moore
Discussion Led By: Finance Chair Moore **Discussion Date:** 2/28/2022
Notify: Russ Lloyd, Jr., Controller

ORDINANCE F-2022-03 An Ordinance of the Common Council of the City of Evansville Authorizing Re-Appropriations of Funds within the Department of Metropolitan Development

Sponsor(s): Moore
Discussion Led By: Finance Chair Moore **Discussion Date:** 2/28/2022
Notify: Kelley Coures, DMD

ORDINANCE R-2022-04 AMENDED An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as 2003 and 2015 Gilbert Ave

Petitioner: Timothy and Lisa Eichoff **Owner:** Timothy and Lisa Eichoff
Requested Change: R2 to C4 **Ward:** 4 Burton
Representative: Donald Gries, Easley Engineering

ORDINANCE R-2022-05 An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as 768 Lincoln Ave

Petitioner: Matt R Lehman **Owner:** Derrick Hardin
Requested Change: C1 to C4 **Ward:** 4 Burton
Representative: Matt R Lehman, RLehman & Son Consulting

ORDINANCE R-2022-06 An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as NE of the Intersection of Cross Pointe Place and Promenade Way

Petitioner: Evansville Vision, LLC **Owner:** Evansville Vision, LLC
Requested Change: C2 to C4 w/ UDC **Ward:** 1 Trockman
Representative: James E Morley, Morley

ORDINANCE R-2022-07 An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as 5114 & 5120 Kratzville Rd & 1306 W Mill Rd

Petitioner: Kratzville/Mill, LLC **Owner:** Kratzville/Mill, LLC
Requested Change: R1 to R5 w/ UDC **Ward:** 5 Elpers
Representative: James E Morley, Morley

ORDINANCE R-2022-08 An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as 3900 N Green River Rd

Petitioner: Trustee of the Roy L and Patricia R Kixmiller Living Trust **Owner:** Trustee of the Roy L and Patricia R Kixmiller Living Trust
Requested Change: R1 to C4 w/ UDC **Ward:** 1 Trockman
Representative: James E Morley, Morley

ORDINANCE R-2022-09 An Ordinance to Rezone Certain Real Estate in the City of Evansville, State of Indiana, More Commonly Known as 23 E Columbia St

Petitioner: Foster Care in the U.S. **Owner:** Foster Care in the U.S.
Requested Change: R1 to R4 **Ward:** 3 Heronemus
Representative: Jessica Angelique, Foster Care in the U.S.

**MOTION TO ACCEPT THE AMENDMENT FOR ORDINANCE R-2022-04: BEANE
SECOND: BRINKMEYER**

PASSED BY VOICE VOTE

**MOTION TO ADOPT CONSENT AGENDA AS WRITTEN: BEANE
SECOND: BRINKMEYER**

PASSED BY VOICE VOTE

VI. COMMITTEE REPORTS

AREA PLAN COMMISSION REPORT	CITY CLERK WINDHORST
R-2021-26	Continued to the March 3, 2022 APC meeting
R-2022-02	Continued to the March 3, 2022 APC meeting
R-2022-03	Continued to the March 3, 2022 APC meeting

**MOTION TO ACKNOWLEDGE THE COMMITTEE REPORTS: BEANE
SECOND: MOSBY**

PASSED BY VOICE VOTE

VII. REGULAR AGENDA: SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE G-2022-02 An Ordinance Authorizing the Issuance of Sewage Works Revenue Bonds of the City of Evansville, Indiana, and Issuance of Notes in Anticipation of the Issuance of Bonds; Prescribing the Form and Other Details of the Bonds; Providing for the Collection and Disposition of the Revenues to be Derived from it Sewerage System; Making Other Provisions with Respect to the Operation of the System and the Issuance and Sale of the Bonds and Notes; and Providing for the Security and Payment of the Bonds and Notes; Other Matters Connected Therewith, and Repealing Ordinances Inconsistent Herewith

Sponsor(s): Moore, Beane
Discussion Led By: Public Works Chair
Brinkmeyer
Notify: Marco Delucio, ZSWS
Discussion Date: 2/14/2022

**MOTION TO ADOPT ORDINANCE G-2022-02: BEANE
SECOND: BURTON**

PASSED BY ROLL CALL VOTE 9-0

ORDINANCE F-2022-01 AMENDED An Ordinance of the Common Council of the City of Evansville Authorizing Transfers of Appropriations, Additional Appropriations and Repeal and Re-Appropriation of Funds for Various City Funds

Sponsor(s): Moore
Discussion Led By: Finance Chair Moore **Discussion Date:** 2/14/2022
Notify: Russ Lloyd, Jr., Controller

**MOTION TO ACCEPT THE AMENDMENT FOR ORDINANCE F-2022-01: BRINKMEYER
SECOND: ELPERS**

PASSED BY VOICE VOTE

**MOTION TO ADOPT ORDINANCE F-2022-01 AMENDED: MOBSY
SECOND: BEANE**

PASSED BY ROLL CALL VOTE 9-0

VIII. RESOLUTION DOCKET

RESOLUTION C-2022-01 A Resolution of the Common Council of the City of Evansville, Indiana, Authorizing Affordable Housing Funds for Community Action Program of Evansville & Vanderburgh County, Inc. Single Family Container Home Projects in the City of Evansville, Indiana in an Amount not to Exceed Two-hundred Thousand Dollars (\$200,000)

Sponsor(s): Moore, Trockman, Burton
Discussion Led By: President Heronemus **Discussion Date:** 2/14/2022
Notify: Kelley Coures, DMD

**MOTION TO ADOPT RESOLUTION C-2022-01: BURTON
SECOND: BEANE**

PASSED BY ROLL CALL VOTE 9-0

RESOLUTION C-2022-02 AMENDED A Resolution Opposing Legislation Regarding the Business Personal Property Tax

Sponsor(s): Elpers, Heronemus, Burton, Trockman, Mosby
Discussion Led By: President Heronemus **Discussion Date:** 2/14/2022
Notify: Josh Claybourn, Jackson Kelly

**MOTION TO ACCEPT THE AMENDMENT FOR RESOLUTION C-2022-02: BRINKMEYER
SECOND: ELPERS**

PASSED BY VOICE VOTE

MOTION TO ADOPT RESOLUTION C-2022-02 AMENDED: ELPERS
SECOND: MOORE
PASSED BY ROLL CALL VOTE 9-0

RESOLUTION C-2022-03 A Resolution of the Common Council of the City of Evansville in Support of Economic Development Incentives Offered to Bridge Alternative Investment Solutions City of Evansville to Expand Operations at 21 SE Third Street, Suite 320
Sponsor(s): Heronemus, Trockman, Beane
Discussion Led By: President Heronemus **Discussion Date:** 2/14/2022
Notify: Andrea Lendy, Evansville Regional Economic Partnership

MOTION TO ADOPT RESOLUTION C-2022-03: BEANE
SECOND: MOSBY

PASSED BY ROLL CALL VOTE 9-0

RESOLUTION C-2022-04 A Resolution of the Common Council of the City of Evansville
AMENDED Ratifying, Confirming, Authorizing and Approving an Agreement between the City of Evansville and the Chauffeurs, Teamsters and Helpers Local Union 215 (January 1, 2022 - December 31, 2024)
Sponsor(s): Moore, Heronemus, Beane
Discussion Led By: President Heronemus **Discussion Date:** 2/14/2022
Notify: Carol McMichael, City Personnel

MOTION TO ACCEPT THE AMENDMENT FOR RESOLUTION C-2022-04: MOSBY
SECOND: BEANE

PASSED BY VOICE VOTE

MOTION TO ADOPT RESOLUTION C-2022-04 AMENDED: BEANE
SECOND: BRINKMEYER

PASSED BY ROLL CALL VOTE 9-0

RESOLUTION C-2022-05 A Resolution of the Common Council of the City of Evansville Ratifying, Confirming, Authorizing and Approving an Agreement between the City of Evansville Metropolitan Evansville Transit Systems (METS) and the Chauffeurs, Teamsters and Helpers Local Union 215 (January 1, 2022 - December 31, 2024)
Sponsor(s): Moore, Heronemus, Beane
Discussion Led By: President Heronemus **Discussion Date:** 2/14/2022
Notify: Carol McMichael, City Personnel

**MOTION TO ADOPT RESOLUTION C-2022-05: MOSBY
SECOND: MOORE**

PASSED BY ROLL CALL VOTE 9-0

IX. MISCELLANEOUS BUSINESS

A. THE NEXT MEETING of the Common Council will be **Monday, February 28, 2022 at 5:30 p.m.**

B. TOURISM FORECAST: Alexis Berggren, Visit Evansville

C. ADDITIONAL MISCELLANEOUS BUSINESS

**MOTION TO DIRECT ATTORNEY CLAYBOURN TO PREPARE LETTER OPPOSING CENTER
POINT INCREASE: BEANE
SECOND: BURTON**

PASSED BY VOICE VOTE.

X. COMMITTEE REPORTS


THERE ARE NO COMMITTEE REPORTS THIS EVENING.

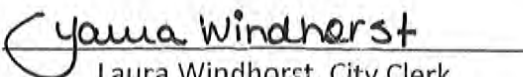
XI. ADJOURNMENT

**MOTION TO ADJOURN: BEANE
SECOND: MOORE**

PASSED BY VOICE VOTE

THIS MEMORANDUM APPROVED BY the Common Council of the City of Evansville, Indiana, on the 28 day of February, 2022, and signed by the President of the Common Council and attested by the City Clerk.


Zac Heronemus
President of the Common Council

ATTEST: 
Laura Windhorst, City Clerk
City of Evansville, Indiana

CERTIFICATE OF SERVICE

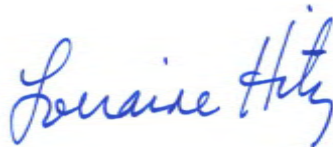
This is to certify that a copy of the Indiana OUCC's Testimony Kaleb G. Lantrip has been served upon the following parties of record in the captioned proceeding by electronic service on February 27, 2023.

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Heather Watts
Jeffery Earl
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