FILED
December 29, 2021
INDIANA UTILITY
REGULATORY COMMISSION

#### STATE OF INDIANA

#### INDIANA UTILITY REGULATORY COMMISSION

PETITION OF SOUTHERN INDIANA GAS AND ELECTRIC COMPANY d/b/a CENTERPOINT ENERGY INDIANA SOUTH ("CEI SOUTH") FOR (1) ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PURSUANT TO IND. CODE CH. 8-1-8.5 FOR THE CONSTRUCTION OF TWO NATURAL GAS **COMBUSTION TURBINES** ("CTs") **PROVIDING** APPROXIMATELY 460 MW OF BASELOAD CAPACITY ("CT PROJECT"); (2) APPROVAL OF ASSOCIATED RATEMAKING AND ACCOUNTING TREATMENT FOR THE CT PROJECT: (3) ISSUANCE OF A CERTIFICATE **CONVENIENCE AND PUBLIC NECESSITY PURSUANT** TO IND. CODE CH. 8-1-8.4 COMPLIANCE PROJECTS TO MEET FEDERALLY **REQUIREMENTS** ("COMPLIANCE MANDATED PROJECTS"); (4) AUTHORITY TO TIMELY RECOVER 80% OF THE FEDERALLY MANDATED COSTS OF THE COMPLIANCE PROJECTS THROUGH CEI SOUTH'S **ENVIRONMENTAL COST ADJUSTMENT MECHANISM ("ECA"); (5) AUTHORITY TO CREATE** REGULATORY ASSETS TO RECORD (A) 20% OF THE **FEDERALLY MANDATED** COSTS OF COMPLIANCE PROJECTS AND (B) POST-IN-SERVICE CARRYING CHARGES, BOTH DEBT AND EQUITY, AND DEFERRED DEPRECIATION ASSOCIATED WITH THE CT PROJECT AND COMPLIANCE PROJECTS UNTIL SUCH COSTS ARE REFLECTED IN RETAIL ELECTRIC RATES; (6) IN THE EVENT THE CPCN IS NOT GRANTED OR THE CTs OTHERWISE ARE NOT PLACED IN SERVICE, AUTHORITY TO DEFER, AS A REGULATORY COSTS **INCURRED** ASSET, **PLANNING PETITIONER'S** 2019/2020 **IRP** PRESENTING THIS CASE FOR CONSIDERATION FOR FUTURE RECOVERY THROUGH RETAIL ELECTRIC RATES; (7) ONGOING REVIEW OF THE CT PROJECT; AND (8) AUTHORITY TO ESTABLISH DEPRECIATION RATES FOR THE CT PROJECT AND COMPLIANCE PROJECTS ALL UNDER IND. CODE §§ 8-1-2-6.7, 8-1-2-23, 8-1-8.4-1 ET SEO., AND 8-1-8.5-1 ET SEO.

**CAUSE NO. 45564** 

### APPEARANCE OF ADDITIONAL COUNSEL FOR CAC

Sameer Doshi, Cassandra McCrae, and Raghava (Raghu) Murthy hereby enter their appearances as additional counsel on behalf of Citizens Action Coalition of Indiana. *See* Order, In the Matter of the Temporary Admission of Sameer H. Doshi, Raghava Murthy, and Cassandra McCrae, Petitioners, Case No. 21S-MS-569 (attached as Exhibit A).

Respectfully submitted,

Jennifet A. Washburn, Atty. No. 30462-49 Citizens Action Coalition of Indiana, Inc.

1915 West 18<sup>th</sup> Street, Suite C Indianapolis, Indiana 46202

Phone: (317) 735-7764 Fax: (317) 290-3700 jwashburn@citact.org

Sameer Doshi, Atty. No. 7706-95-TA

Earthjustice

311 South Wacker Drive, Suite 1400

Chicago, Illinois 60606 Phone: (312) 800-8332 Facsimile: (212) 918-1556 sdoshi@earthjustice.org Cassandra McCrae, Atty. No. 6607-95-TA

Earthjustice

1617 John F. Kennedy Blvd., Suite 1130

Philadelphia, PA 19103 Phone: (215) 671-6493 Facsimile: (212) 918-1556 cmccrae@earthjustice.org

Raghu Murthy, Atty. No. 6633-95-TA

Earthjustice

48 Wall St., 15th Fl. New York, NY 10005 Phone: (212) 823-4991 Facsimile: (212) 918-1556

rmurthy@earthjustice.org

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing was served by electronic mail or U.S.

Mail, first class postage prepaid, this 29<sup>th</sup> day of December, 2021, to the following:

Lorraine Hitz Randy Helmen T. Jason Haas

**Office of Utility Consumer Counselor** 

Ihitz@oucc.in.gov rhelmen@oucc.in.gov thaas@oucc.in.gov infomgt@oucc.in.gov

P. Jason Stephenson Heather Watts Matthew A. Rice Michelle D. Quinn Nicholas Kile Hillary Close Lauren Box

**Centerpoint Energy South** 

jason.stephenson@centerpointenergy.com heather.watts@centerpointenergy.com matt.rice@centerpointenergy.com michelle.quinn@centerpointenergy.com nicholas.kile@btlaw.com hillary.close@btlaw.com lauren.box@btlaw.com Tony Mendoza Joshua Smith Megan Wachspress Kathryn Watson **Sierra Club** 

tony.mendoza@sierraclub.org joshua.smith@sierraclub.org megan.wachspress@sierraclub.org kwatson@kkclegal.com

Robert L. Hartley
Darren A. Craig Carly
J. Tebelman
Sunrise Coal
rhartley@fbtlaw.com
dcraig@fbtlaw.com
ctebelman@fbtlaw.com

Todd A. Richardson
Tabitha L. Balzer
Industrial Group
trichardson@lewis-kappes.com
tbalzer@lewis-kappes.com
etennant@lewis-kappes.com
atyler@lewis-kappes.com

Respectfully submitted,

Jangle a Washbrum Jennifer A. Washburn

## **EXHIBIT A**

# In the Indiana Supreme Court

In the Matter of the Temporary Admission of Sameer H. Doshi, Raghava Murthy, and Cassandra McCrae, Petitioners

Supreme Court Case No. 21S-MS-569



## Order

Attorney Jennifer Washburn petitions for the temporary admission of attorneys Sameer H. Doshi, Raghava Murthy, and Cassandra McCrae of Earthjustice to represent Citizens Action Coalition of Indiana, Inc., before Indiana Utility Regulatory Commission in case No. 45564. The petitions state that Doshi is a member in good standing of the bar of Illinois; Murthy is a member in good standing of the bars of New Jersey and Pennsylvania; and McCrae is a member in good standing of the bars of Texas and Pennsylvania. Our records reflect the attorneys have received the following temporary admission numbers from the Clerk of this Court: Doshi (7706-95-TA), Murthy (6633-95-TA), and McCrae (6607-95-TA). The petitions provide the information required by Admission and Discipline Rule 3, Section 2(a), and attorney Jennifer Washburn, Indiana bar No. 30462-49, has agreed to act as co-counsel.

Being duly advised, the Court GRANTS temporary admission to Sameer H. Doshi, Raghava Murthy, and Cassandra McCrae, who are directed to comply with the requirements of Admission and Discipline Rule 3, Sections 2(b) and 2(c). You must file a "Notice of Temporary Admission" with the Clerk of the Supreme Court within thirty days of this order. If you do not, you will be automatically excluded from the practice of law in this State and any further legal practice in any case in this State will constitute the unauthorized practice of law. See Admis. Disc. R. 3, sec. 2(b), (e), and (f). The Notice of Temporary Admission should be sent to: Roll of Attorneys Administrator, c/o Clerk of the Supreme Court, 402 West Washington Street, Room W062, Indianapolis, Indiana 46204. Together with your Notices of Temporary Admission, you must also file a copy of any order of the administrative body granting you leave to appear and of any formal notice of appearance you file, to the extent the body requires such leave or formal notice. Co-counsel is directed to comply with Admission and Discipline Rule 3, Section 2(d), including the requirement that all documents filed in the cause be signed by a member of the bar of the State of Indiana.

Done at Indianapolis, Indiana, on <u>12/21/2021</u>.

Louis A. Ruch

Loretta H. Rush Chief Justice of Indiana