

APRIL 13, 2017

INDIANA UTILITY

REGULATORY COMMISSION

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF THE CITY OF)
FRANKFORT, INDIANA, FOR)
AUTHORITY TO ISSUE BONDS, NOTES,)
OR OTHER OBLIGATIONS, FOR)
AUTHORITY TO INCREASE ITS RATES)
AND CHARGES FOR ELECTRIC)
SERVICE, AND FOR APPROVAL OF)
NEW SCHEDULES OF ELECTRIC)
RATES AND CHARGES.)

CAUSE NO. 44856

CITY OF FRANKFORT, INDIANA'S
SUBMISSION OF SECOND SUPPLEMENTAL TESTIMONY AND ATTACHMENTS

City of Frankfort, Indiana ("Frankfort"), by counsel, hereby submits second supplemental testimony and attachments of Scott D. Bowles, P.E. to address a recent Economic Development Rider adopted by IMPA. As noted in Mr. Bowles' testimony submitted herewith, Frankfort has shared this supplemental information with the Indiana Office of Utility Consumer Counselor ("OUCC") and the OUCC supports the requested change.

Respectfully submitted,

By: *Hillary J. Close*

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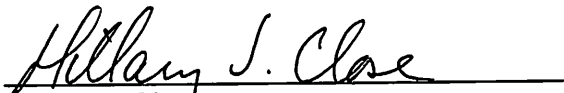
Attorneys for Petitioner

The City of Frankfort, Indiana

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was served this 13th day of April, 2017 by electronic mail to:

Scott Franson
Indiana Office of Utility Consumer Counselor
PNC Center
115 West Washington Street, Suite 1500 South
Indianapolis, Indiana 46204
infomgt@oucc.in.gov
sfranson@oucc.in.gov


Hillary J. Close

STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION OF)
FRANKFORT ELECTRIC LIGHT AND)
POWER FOR APPROVAL OF A NEW) CAUSE NO. 44856
SCHEDULE OF RATES AND CHARGES FOR)
ELECTRIC SERVICE)

VERIFIED SECOND SUPPLEMENTAL TESTIMONY
of
SCOTT D. BOWLES, P.E.

On Behalf of Petitioner,
Frankfort City Light & Power

Petitioner's Exhibit 5

1 **Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.**

2 A. My name is Scott D. Bowles and my business address is 5524 North County Line Road
3 East, Auburn, Indiana 46706-9302.

4
5 **Q. WHAT IS YOUR PROFESSION AND BY WHOM ARE YOU EMPLOYED?**

6 A. I am a registered professional engineer in the State of Indiana as well as ten other states.
7 I am a Principal and the President of Spectrum Engineering Corporation, located in
8 Auburn, Indiana.

9
10 **Q. ARE YOU THE SAME SCOTT D. BOWLES WHO SPONSORED DIRECT AND**
11 **SUPPLEMENTAL TESTIMONY IN THIS CAUSE ON BEHALF OF THE**
12 **PETITIONER FRANKFORT CITY LIGHT & POWER (“FRANKFORT” OR**
13 **THE “UTILITY”)?**

14 A. Yes, I am.

15
16 **Q. WHAT IS THE PURPOSE OF YOUR SECOND SUPPLEMENTAL**
17 **TESTIMONY?**

18 A. By letter dated March 31, 2017, Frankfort was informed that the IMPA Board of
19 Commissioners adopted (on March 24, 2017) an Economic Development Rider to
20 Schedule B of its tariff (the “IMPA Rider”). A copy of the IMPA Rider is attached here
21 as Attachment SDB-1SS. In order to provide the economic development credits to
22 Frankfort's qualifying customer(s), Frankfort must pass a rate mechanism to flow the

1 savings to the customer. I am offering this second supplemental testimony to support a
2 revision to Frankfort's proposed EDR tariff to do just that.

3
4 **Q. PLEASE DESCRIBE THE PROPOSED CHANGE TO FRANKFORT'S EDR**
5 **TARIFF TO IMPLEMENT THE NEW IMPA RIDER.**

6 A. Essentially, the IMPA Rider provides Frankfort a flat credit against its wholesale bill for
7 new load. The eligibility factors are nearly identical to Frankfort's proposed EDR in this
8 case. The latter is a percentage credit against the qualifying customer's demand charge.
9 The wholesale credit resulting from the IMPA Rider would be an additional credit. The
10 proposed addition to Frankfort's EDR is reflected on Attachment SDB-2SS, which would
11 replace the relevant sheets of the tariff previously submitted with my supplemental
12 testimony as Attachment SDB-S6.

13
14 **Q. DOES THAT CHANGE REQUIRE AN AMENDMENT TO THE STIPULATION**
15 **AND SETTLEMENT AGREEMENT BETWEEN FRANKFORT AND THE**
16 **INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR ("OUCC") IN**
17 **THIS CAUSE?**

18 A. No. Frankfort has conferred with the OUCC about this issue and the OUCC supports this
19 requested change. No formal change to the agreement is needed to reflect the revised
20 tariff.

21
22 **Q. IN YOUR OPINION, IS THE PROPOSED CHANGE TO THE PROPOSED EDR**
23 **IN THE PUBLIC INTEREST?**

24 A. Yes. This additional economic development credit will provide a nice incentive for new

1 or expanded load in Frankfort's service area. In addition, given that the proposed tariff
2 agreed upon by the OUCC and Frankfort in their Stipulation and Settlement Agreement
3 filed in this Cause on March 29, 2017 is pending Commission approval, Frankfort
4 believes supplementing the proposed stipulated tariff in this case is the most efficient
5 manner to address this recent change.


6

7 **Q. DOES THIS COMPLETE YOUR VERIFIED SECOND SUPPLEMENTAL**
8 **TESTIMONY?**

9 A. Yes, it does.

VERIFICATION

The undersigned affirms under the penalties for perjury that the foregoing testimony is true to the best of his knowledge, information and belief.


Scott D. Bowles, P.E.

**ATTACHMENT SDB-1SS
IMPA ECONOMIC DEVELOPMENT RIDER
(POWER SALES RATE SCHEDULE B)**

**On
Behalf of
Petitioner,
Frankfort City Light and Power**

Petitioner's Exhibit 5

**ECONOMIC DEVELOPMENT RIDER
(POWER SALES RATE SCHEDULE B)**

1. **Availability.** This Rider is available to any and all Members with a Qualifying Customer (as defined herein) as an economic development tool to encourage large power users to expand or create new operations within Member service territories.
2. **Qualifications.** A “Qualifying Customer” is a new or existing non-residential customer in the Member’s service territory that is establishing new operations or expanding existing operations such that the new or expanded operations will result in new or additional demand of at least one (1) MW (1000 kW) at one delivery point (the “Qualifying Demand”) and the new or expanded operations has involved a capital investment of at least one million dollars (\$1,000,000) within the Member’s service territory.

For a Qualifying Customer that is expanding operations, Qualifying Demand is measured from the average monthly peak demand for the twelve (12) months immediately preceding the effective date of the Service Application. For a Qualifying Customer that is establishing new operations, Qualifying Demand is measured from zero.

A Qualifying Customer is not a customer: (1) with “new” demand that results from a change in ownership of an existing establishment without qualifying new load; (2) renewing service following interruptions such as equipment failure, temporary plant shutdown, strike, economic conditions, or natural disaster; or (3) that has shifted its load from one operation or customer to another within the Member’s service territory. IMPA may determine exclusively, without recourse by the Member or customer, whether an event has occurred that would prevent a customer from being a Qualifying Customer.

Before a Member may request this Rider, the Member must adopt a local Economic Development Rider mirroring the incentives of this Rider, which incentives would be for the benefit of the Qualifying Customer.

3. **Rate Incentive.** Beginning with the effective date indicated in the Service Application submitted by the Qualifying Customer to the Member, a reduction in the Member’s monthly bill will be applied to the cost for the qualifying new load under this Rider according to the following schedule:

Months 1-12	20%
Months 13-24	15%
Months 25-36	10%
Months 37-48	10%
Months 49-60	5%

The Qualifying Customer must meet the minimum Qualifying Demand during each month of the incentive period (i.e., months 1 through 60, as designated above). Failure to meet the minimum Qualifying Demand in a particular month will result in 0% reduction for that month.

4. **Terms and Conditions.** The Qualifying Customer must submit a Service Application to the Member specifying: (1) a description of the amount and nature of the new load; (2) the basis on which the Qualifying Customer meets the requirements of the Member's local Economic Development Rider; (3) the Qualifying Customer's desired effective date; and (4) such other information as the Member may require. To receive the incentive each month, the Member will be required to demonstrate to IMPA that the Qualifying Customer used the minimum Qualifying Demand each month.

This Rider will terminate on December 31, 2018, except that any Member receiving the rate incentive at the time of the Rider's termination may continue receiving the incentive for the remainder of the applicable incentive period (as long it continues to serve a Qualifying Customer that first received an incentive under the Member's local Economic Development Rider before December 31, 2018).

**ATTACHMENT SDB-2SS
FINAL ECONOMIC DEVELOPMENT RIDER
WITH STATEMENT OF BENEFITS SB1 APPLICATION ATTACHMENT**

**On
Behalf of
Petitioner,
Frankfort City Light and Power**

Petitioner's Exhibit 5

ECONOMIC DEVELOPMENT RIDER

Availability of Service

In order to encourage economic development in the Utility's service area, limited-term reductions in billing demands described herein are offered to qualifying new and existing customers who make application for service under this Rider prior to January 1, 2025.

Service under this Rider is intended for specific types of commercial and industrial customers whose operations, by their nature, will promote sustained economic development based on plant and facilities investment and job creation. This Rider is available to commercial and industrial customers served under Tariff PPL or Tariff IP who meet the following requirements:

- (1) **Size:** A new customer must have a billing demand of 1,000 kW or more. An existing customer must increase billing demand by 1,000 kW or more over the maximum billing demand during the 12 months prior to the date of the application by the customer for service under this Rider (Base Maximum Billing Demand). The customer must meet this minimum demand during each month of the incentive period (i.e., months 1 through 60). Failure to meet the minimum demand in a particular month will result in 0% reduction for the Demand Adjustment Factor or the Wholesale Power Credit for that month. In addition, to be eligible for the Wholesale Power Credit, the new or expanded operations must involve a capital investment of at least one million dollars (\$1,000,000) within the Utility's service territory.
- (2) **THD:** Total Harmonic Distortion. Both new and existing customers must comply with Standard IEEE 519-2014 or its most contemporary version, should the standard be revised.
- (3) **Load Factor:** Both new and existing customers must maintain a monthly load factor of at least 70%. Load factor shall be calculated as follows: "Total monthly kWh"/["peak kW" x "Days in Billing Period" x "24 hours"].
- (4) **Power Factor:** Both new and existing customers must maintain a monthly power factor of at least 98%.
- (5) **Applicable Standards:** Both new and existing customers shall comply with the most contemporary versions of National Electric Code, National Fire Protection Association Code, and relevant IEEE standards.
- (6) **Business Type:** In no event shall service under this Rider be available to a customer whose principal business at the service location is classified in one of the following SIC Major Groups:

Standard Industrial Classification (SIC per US Dept. of Labor)

- A: Agriculture, Forestry, and Fishing
01: Agricultural Production Crops

ISSUED BY
MICHAEL MEYERS
ELECTRIC SUPERVISOR

EFFECTIVE FOR ELECTRIC SERVICE RENDERED
ON OR AFTER _____, 2017
ISSUED UNDER THE AUTHORITY OF THE
INDIANA UTILITY REGULATORY COMMISSION
DATED _____, 2017
IN CAUSE NO. 44856

I.U.R.C. NO. ____
FRANKFORT CITY LIGHT AND POWER
FRANKFORT, INDIANA

ORIGINAL SHEET NO. EDR.1.2

- 02: Agriculture production livestock and animal specialties
- 07: Agricultural Services
- 08: Forestry
- 09: Fishing, hunting, and trapping

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FRANKFORT, INDIANA

ORIGINAL SHEET NO. EDR.1.3

C: Construction

- 15: Building Construction General Contractors and Operative Builders
- 16: Heavy Construction Other Than Building Construction Contractors
- 17: Construction Special Trade Contractors

F: Wholesale Trade

- 50: Wholesale Trade-durable Goods
- 51: Wholesale Trade-non-durable Goods

G: Retail Trade

- 52: Building Materials, Hardware, Garden Supply, and Mobile Home Dealers
- 53: General Merchandise Stores
- 54: Food Stores
- 55: Automotive Dealers and Gasoline Service Stations
- 56: Apparel and Accessory Stores
- 57: Home Furniture, Furnishings, and Equipment Stores
- 58: Eating and Drinking Places
- 59: Miscellaneous Retail

H: Finance, Insurance, and Real Estate

- 64: Insurance Agents, Brokers, and Service
- 65: Real Estate
- 67: Holding and Other Investment Offices

I: Services

- 70: Hotels, Rooming Houses, Camps, and Other Lodging Places
- 78: Motion Pictures
- 79: Amusement and Recreation Services

North American Industry Classification System (NAICS per OMB post 1997)

- 11: Agriculture, Forestry, Fishing and Hunting
- 22: Utilities
- 23: Construction
- 42: Wholesale Trade
- 44: Retail Trade
- 45: Retail Stores
- 48: Transportation
- 53: Real Estate Rental and Leasing
- 71: Arts, Entertainment, and Recreation
- 72: Accommodation and Food Services
- 81: Other Services (except Public Administration)

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ORIGINAL SHEET NO. EDR.1.4

(3) A new customer, or the expansion by an existing customer, must result in the creation of at least 10 full-time equivalent jobs (FTE) maintained over the contract term at the service location. Utility reserves the right to verify FTE job counts. Failure to maintain the minimum required FTE jobs will result in the termination of this Rider.

(4) The customer must demonstrate through form SB-1, to the Utility's satisfaction that, absent the availability of this Rider, the qualifying new or increased demand would be located outside of the Utility's service territory or would not be placed in service due to poor operating economics.

Availability is limited to customers on a first-come, first-served basis for loads aggregating to 25 MVA.

Terms and Conditions

(1) To receive service under this Rider, the customer shall make written application to the Utility, using form SB-1, with sufficient information contained therein to determine the customer's eligibility for service.

(2) For new customers, billing demands for which deductions will be applicable under this Rider shall be for service at a new service location and not merely the result of a change of ownership. Relocation of the delivery point of the Utility's service does not qualify as a new service location.

(3) For existing customers, billing demands for which deductions will be applicable under this Rider shall be the result of an increase in business activity and not merely the result of resumption of normal operations following a force majeure, strike, equipment failure, renovation or refurbishment, or other such abnormal operating condition. In the event that such an occurrence has taken place during the 12-month period prior to the date of the application by the customer for service under this Rider, the monthly billing demands during the 12-month period shall be adjusted as appropriate to eliminate the effects of such occurrence.

(4) All demand adjustments offered under this Rider shall terminate no later than December 31, 2029.

(5) The existing local facilities of the Utility must be deemed adequate, in the judgment of the Utility, to supply the new or expanded electrical capacity requirements of the customer. If construction of new or expanded local facilities by the Utility is required, the customer may be required to make a contribution-in-aid of construction for the installed cost of such facilities pursuant to the provisions of the Utility's Terms and Conditions of Service.

Determination of Monthly Adjusted Billing Demand.

The qualifying incremental billing demand shall be determined as the amount by which the billing demand, as determined according to Tariff PPL or IP for the current billing period without this Rider, exceeds the Base Maximum Billing Demand. Such incremental billing demand shall be considered to be zero, however, unless it is at least 1,000 kW for new customers or existing customers.

ISSUED BY
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ELECTRIC SUPERVISOR

EFFECTIVE FOR ELECTRIC SERVICE RENDERED
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I.U.R.C. NO. ___
FRANKFORT CITY LIGHT AND POWER
FRANKFORT, INDIANA

ORIGINAL SHEET NO. EDR.1.5

The monthly adjusted billing demand under this Rider shall be the billing demand as determined according to Tariff PPL or IP for the current billing period without this Rider less the product of the qualifying incremental billing demand and the applicable Adjustment Factor. No Adjustment Factors shall be applied to any portion of minimum billing demands as calculated under Tariff PPL or IP.

Determination of Adjustment Factor

Standard New Development Customers – customers meeting all availability and terms and conditions above shall contract for service for a period of five (5) years with a scheduled Adjustment Factor as follows:

Year 1:	10%
Year 2 through 5:	5%

Urban Redevelopment Customers – customers meeting all availability and terms and conditions above, and that (1) are locating a new business in an existing building that has been unoccupied and/or has remained dormant for at least one or more years and has no current or prior relationship with the previous occupant, as determined by the Utility, and (2) taking delivery at one point that does not require significant distribution or transmission system investment, other than the connection of service, shall qualify the same as a Standard New Development Customer.

The appropriate adjustment factor shall be applicable over a period of 60 consecutive billing months beginning with the first such month following the end of the start-up period. The start-up period shall commence with the effective date of the contract addendum for service under this Rider and shall terminate by mutual agreement between the Utility and the customer. In no event shall the start-up period exceed 12 months.

Wholesale Power Credit

In addition to the demand credit provided herein, a customer meeting all availability and terms and conditions above may be eligible for pass-through of wholesale power credits received by the Utility from the Indiana Municipal Power Association (“IMPA”) pursuant to the Economic Development Rider to Schedule B of IMPA’s tariff. To the extent the Utility receives a credit on its wholesale bill for the customer’s new or expanded load, the incentive amount received by the Utility from IMPA for such load will be passed in full to the customer. For reference purposes, the discount to the customer’s wholesale cost for qualifying new or expanded load will be calculated according the following schedule:

<u>Year 1:</u>	<u>20%</u>
<u>Year 2:</u>	<u>15%</u>
<u>Years 3-4</u>	<u>10%</u>

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FRANKFORT CITY LIGHT AND POWER
FRANKFORT, INDIANA

ORIGINAL SHEET NO. EDR.1.6

Year 5 5%

The Wholesale Power Credit provided herein is in addition to the Demand Adjustment Factor provided herein.

Written Annual Statement of Substantial Compliance

Customers must apply for the Economic Development Rider using Form SB-1 "Statement of Benefits" which can be found as Attachment A.

Subsequent to qualifying for the Economic Development Rider, the Customer MUST file an updated SB-1 at least 30 days prior to the anniversary of the start date identified in the Utility's confirmation that Customer is eligible for the Economic Development Rider. Failure to comply with the reporting requirements will result in termination of eligibility for the Economic Development Rider.

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I.U.R.C. NO. ___
FRANKFORT CITY LIGHT AND POWER
FRANKFORT, INDIANA

ORIGINAL SHEET NO. EDR.1.7

Terms of Contract

A contract or agreement addendum for service under this Rider, in addition to service under Tariff PPL or IP, shall be executed by the customer and the Utility for the time period which includes the start-up period and the five-year period immediately following the end of the start-up period. The contract addendum shall specify the Base Maximum Billing Demand, the anticipated total demand, the Adjustment Factor and related provisions to be applicable under this Rider, and the effective date for the contract addendum.

The customer may discontinue service under this Rider before the end of the contract or agreement addendum only by reimbursing the Utility for any demand adjustments received under this Rider billed at the applicable rate.

Special Terms and Conditions

Except as otherwise provided in this Rider, written agreements shall remain subject to all of the provisions of Tariff PPL or IP. This Rider is subject to the Utility's Terms and Conditions of Service.

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**STATEMENT OF BENEFITS
ECONOMIC DEVELOPMENT RIDER**
Frankfort City Light and Power

DATE _____

FORM SB-1 / EDR

This statement is being completed for a customer that qualifies for an "Economic Development Rider."

INSTRUCTIONS:

1. This statement must be submitted to Frankfort City Light and Power at the time application is made for the Economic Development Rider. Please carefully fill out all fields.
2. In order to remain eligible for the Economic Development Rider, this statement must be submitted annually, at least 30 days in advance of each anniversary of the Project Start Date. Failure to submit the updated SB-1 will result in termination of the Economic development Rider.

SECTION 1 CUSTOMER INFORMATION					
Name of Customer					
Address of Customer (number and street, city, state, and ZIP code)					
Name of Contact Person			Telephone number ()	E-mail address	
SECTION 2 LOCATION AND DESCRIPTION OF INCREASED LOAD					
Location of Property			Estimated Start Date (month, day, year)	Est. Date Placed-in-Use (mo, day, year)	
Description of increased load. <u>Include additional capital investment associated with the new demand.</u> Please describe specific economic reasons why this EDR is required for the new load. Please also include Milestones, Timeline, and Expected Outcome. (You may attach additional pages as necessary.)					
SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS A RESULT OF PROPOSED PROJECT					
Current Number FTE		Number Retained FTE		Number Additional FTE	
SECTION 4 ESTIMATE OF ADDITIONAL ELECTRIC LOAD					
Current Peak Demand	Current Energy	New Energy	Increase in Peak Demand	New Peak Demand	New Load Factor
SECTION 5 STATEMENT OF COMPLIANCE					
Total Harmonic Distortion, (<V%, < I%):		THD V% shall be less than % at Utility demark		THD I% shall be less than % at Utility demark	
Load Factor (LF > 70%):		Load Factor shall be greater than %			
Power Factor (PF > 98%):		Power Factor shall be greater than %			
Complies with all applicable standards (Yes, No)		Full or partial (circle one)		Describe:	
Business Type (SIC or NAICS code):		SIC or NAICS code:		Describe:	
SECTION 6 CUSTOMER CERTIFICATION					
I hereby certify that the representations in this statement are true.					
Signature of authorized representative		Title		Date signed (month, day, year)	

FOR OFFICE USE ONLY

The applicant meets the general standards in accordance with the Economic Development Rider. EDR Discount Limited to 10 years as outlined below: Year 1: 10% Year 2 through 5: 5%		
Approved (Authorized signature and title)	Telephone number ()	Date signed (month, day, year)
Printed name	Frankfort City Light and Power 16 N. Main St., Frankfort, IN 46041	