

BEFORE THE
INDIANA UTILITY REGULATORY COMMISSION

Petition of Duke Energy Indiana, LLC)
Pursuant to Ind. Code §§ 8-1-2-42.7 and 8-)
1-2-61, for (1) Authority to Modify Its)
Rates and Charges for Electric Utility)
Service Through a Step-In of New Rates)
and Charges Using a Forecasted Test)
Period; (2) Approval of New Schedules of)
Rates and Charges, General Rules and)
Regulations, And Riders; (3) Approval of a)
Federal Mandate Certificate Under Ind.)
Code § 8-1-8.4-1; (4) Approval of Revised)
Electric Depreciation Rates Applicable to)
Its Electric Plant In Service; (5) Approval)
of Necessary and Appropriate Accounting)
Deferral Relief; and (6) Approval of a)
Revenue Decoupling Mechanism for)
Certain Customer Classes)

Cause No. 45253

MOTION FOR SIERRA CLUB'S
COUNSEL TO APPEAR WITHOUT LOCAL CO-COUNSEL

Pursuant to Section 7(c)(2) of 170 IAC 1-1.1-7, Sierra Club, by counsel, respectfully moves for permission for Tony Mendoza and Josh Smith to appear at the evidentiary hearings in this matter, as necessary, without local co-counsel. The Notice of Appearance and Notice of Order Granting Temporary Admission for Mr. Mendoza and Mr. Smith were filed with the Indiana Utility Regulatory Commission ("Commission") on September 13, 2019 and November 1, 2019, respectively. Granting this request would enable Sierra Club to manage the costs of litigation and would not affect any other party or the Commission's administration of this case.

If Sierra Club were required to staff each hearing day with local co-counsel in addition to in-house counsel, it would incur significant costs. As a matter of efficiency, Sierra Club would prefer to mitigate costs to the extent possible by not requiring multiple attorneys to be present at the evidentiary hearing every day, particularly given the potential duration of the scheduled hearings. Mr. Mendoza and Mr. Smith are utility regulatory attorneys and have appeared before the Commission previously. Further, Mr. Mendoza and Mr. Smith are familiar with the procedure and rules of practice employed by the Commission in the conduct of its cases. Neither Sierra Club's representation nor the Commission's conduct of the hearing will be adversely impacted by the absence of local co-counsel on certain hearing days.

As required by Section 7(c), Sierra Club's local counsel, Ms. Kathryn Watson, has reviewed, approved, and executed all documents and pleadings that Sierra Club has filed in this case, and will remain responsible for these matters going forward. Furthermore, Sierra Club has conferred with the other parties to this case on this request and can attest that no party has stated an objection.

Dated: January 7, 2020

Respectfully submitted,



Kathryn A. Watson (#1939-49)
Cantrell & Mehringer, LLP
150 West Market Street, Suite 800
Indianapolis, IN 46204
Telephone: 317.352.3510
Fax: 317.352.3501
kwatson@csmllawfirm.com

Tony Mendoza

Staff Attorney
Sierra Club
2101 Webster St., 13th Floor
Oakland, CA 94612
tony.mendoza@sierraclub.org
(415) 977-5589

Joshua Smith
Senior Staff Attorney
Sierra Club Environmental Law Program
2101 Webster St., Suite 1300
Oakland, CA
joshua.smith@sierraclub.org
(415) 977-5560

Counsel for Sierra Club

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the Motion for Sierra Club's Counsel to Appear Without Local Co-Counsel was served upon the following counsel of record via electronic delivery or first class United States mail, postage prepaid, on January 7, 2020, to the following:

Office of Utility Consumer Counselor

Randall Helmen
Jeffrey Reed
Abby Gray
Scott Franson
rhelmen@oucc.in.gov
jreed@oucc.in.gov
agray@oucc.in.gov
infomgt@oucc.in.gov
sfranson@oucc.in.gov

Duke Industrial Group

Tabitha L. Balzer
Todd A. Richardson
Aaron A. Schmoll
tblazer@lewis-kappes.com
trichardson@lewis-kappes.com
aschmoll@lewis-kappes.com

Nucor Steel

Anne E. Becker
Peter J. Mattheis
Shaun C. Mohler
abecker@lewis-kappes.com
pjm@smxblaw.com
smohler@smxblaw.com

Indiana Coal Council

Jeffrey A. Earl, Esq.
jearl@boselaw.com

Walmart

Eric E. Kinder
Barry Naum
ekinder@spilmanlaw.com
bnaum@spilmanlaw.com

Duke Energy Indiana

Kelley A. Karn
Melanie D. Price
Elizabeth A. Herriman
Andrew J. Wells
Kelley.karn@duke-energy.com
Melanie.price@duke-energy.com
Beth.herriman@duke-energy.com
Andrew.wells@duke-energy.com

Kay E. Pashos
Mark R. Alson
Kay.pashos@icemiller.com
Mark.alson@icemiller.com

Steel Dynamics, Inc.

Robert K. Johnson, Esq.
Damon E. Xenopoulos
rjohnson@utilitylaw.us
dex@smxblaw.com

Citizens Action

Coalition/INCAA/Environmental Working Group

Jennifer A. Washburn
Margo Tucker
jwashburn@citact.org
mtucker@citact.org

Wabash Valley Power Association

Randolph G. Holt
Jeremy L. Fetty
Liane K. Steffes
r_holt@wvpa.com
jfetty@parrlaw.com
lsteffes@parrlaw.com

Kroger

Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.
John P. Cook
Kevin Higgins
kboehm@bkllawfirm.com
jkylercohn@bkllawfirm.com
john.cookassociates@earthlink.net
khiggins@energystrat.com

**Dept. of Navy, on behalf of Fed. Exec.
Agencies**

Shannon M. Matera
Cheryl Ann Stone
Kay Davoodi
Larry Allen
Shannon.matera@navy.mil
Cheryl.stone1@navy.mil
Khojaesteh.davoodi@navy.mil
Larry.r.allen@navy.mil

Chargepoint, Inc.

David T. McGimpsey
dmcgimpsey@bgdlegal.com

**Hoosier Energy Rural Electric Cooperative,
Inc.**

Christopher M. Goffinet
Mike Mooney
cgoffinet@hepn.com
mmooney@hepn.com

Indiana Laborers District Council

Neil E. Gath
Erin Hutson
ngath@gathlaw.com
ehutson@liuna.org

Zeco Systems, Inc. d/b/a Greenlots

Erin C. Borissov
eborissov@parrlaw.com



Kathryn A. Watson
Counsel for Petitioner