

**STATE OF INDIANA**

**INDIANA UTILITY REGULATORY COMMISSION**

**PETITION OF NORTHERN INDIANA PUBLIC SERVICE )  
COMPANY FOR AUTHORITY TO MODIFY ITS RATES )  
AND CHARGES FOR ELECTRIC UTILITY SERVICE )  
AND FOR APPROVAL OF: (1) CHANGES TO ITS )  
ELECTRIC SERVICE TARIFF INCLUDING A NEW )  
SCHEDULE OF RATES AND CHARGES AND CHANGES )  
TO THE GENERAL RULES AND REGULATIONS AND )  
CERTAIN RIDERS; (2) REVISED DEPRECIATION )  
ACCRUAL RATES; (3) INCLUSION IN ITS BASIC RATES )  
AND CHARGES OF THE COSTS ASSOCIATED WITH )  
CERTAIN PREVIOUSLY APPROVED QUALIFIED )  
POLLUTION CONTROL PROPERTY, CLEAN COAL )  
TECHNOLOGY, CLEAN ENERGY PROJECTS AND )  
FEDERALLY MANDATED COMPLIANCE PROJECTS; )  
AND (4) ACCOUNTING RELIEF TO ALLOW NIPSCO TO )  
DEFER, AS A REGULATORY ASSET OR LIABILITY, )  
CERTAIN COSTS FOR RECOVERY IN A FUTURE )  
PROCEEDING. )**

**CAUSE NO. 45159**

**RESPONSIVE TESTIMONY OF**

**KERWIN L. OLSON**

**ON BEHALF OF**

**CITIZENS ACTION COALITION OF INDIANA, INC.**

**JUNE 17, 2019**

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

2 A. My name is Kerwin L. Olson, and I am the Executive Director of Citizens Action Coalition  
3 of Indiana, Inc. ("CAC"). My business address is 1915 West 18<sup>th</sup> Street, Suite C,  
4 Indianapolis, Indiana 46202.

5 **Q. Please describe your current responsibilities.**

6 A. I have served as CAC's Executive Director since June of 2011. I am CAC's chief public  
7 policy spokesperson and its chief operating officer and am responsible to its Board of  
8 Directors for the overall program and operations management of the organization. Major  
9 priorities are established by CAC's membership at its annual meetings and broad policies  
10 are adopted by the Board of Directors at its quarterly meetings. I provide development,  
11 supervision and coordination for the implementation of policies and programs based on  
12 these priorities. My current responsibilities also include: issue and policy research;  
13 lobbying at the Statehouse; legislative outreach and education; community and media  
14 outreach; writing press releases, guest columns and op-ed columns; and community and  
15 member organizing. I am also CAC's representative on the board of the Indiana Coalition  
16 for Human Services and for other organizations and committees, and I supervise CAC's  
17 participation on numerous energy efficiency and demand-side-management collaborative  
18 oversight boards.

19 **Q. Please briefly summarize your prior employment and educational background.**

20 A. I studied American History at the University of Chicago from 1986 to 1989. I joined the  
21 staff at CAC twelve years ago in 2005, working in member outreach. In 2006, I became  
22 CAC's Public Outreach Coordinator, served briefly as its Phone Canvass Director in early  
23 2008, and then served as CAC's Program Director from the beginning of April of 2008.

1 My responsibilities included performing (and supervising others who performed) research  
2 on energy and regulatory issues. I have been CAC’s primary legislative liaison since 2008.  
3 I have served as Executive Director of CAC since June of 2011. I have attended numerous  
4 workshops and seminars on energy, energy efficiency, low-income and consumer issues,  
5 renewable energy, coal, coal gasification, carbon capture and sequestration, biomass and  
6 bio-fuels, and nuclear energy.

7 **Q. Have you previously filed testimony before the Indiana Utility Regulatory**  
8 **Commission (“IURC” or “Commission”)?**

9 **A.** I have testified before the Commission numerous times, including in Cause Nos. 43114  
10 IGCC-4S1, 43114 IGCC 5, 43114 IGCC 6, 43114 IGCC 7, 43114 IGCC 9, 43114 IGCC-  
11 4S3, 43114 IGCC-15, 43653 (Duke CCS study), 43669 (gas universal service programs),  
12 43839 (SIGECO rates), 43912 (NIPSCO DSM), 43922 (NIPSCO Feed-In Tariff), 43967  
13 (Indiana Gasification), 44067 (SIGECO Dense Pack), 44310 (Self-Direct Investigation),  
14 44339 (IPL CCGT and HSS Refueling), 44393 (NIPSCO Feed-In Tariff 2.0), 44441  
15 (Implementation of SEA 340), 44478 (IPL EV), 44720 (Duke TDSIC), 44765 (Duke  
16 CCR), 44872 (NIPSCO CCR), 44910 (Vectren TDSIC), 44963 (DEI AMI Opt Out Tariff),  
17 44945 (IPL 2018-2020 DSM), 44967 (I&M rate case), 44988 (NIPSCO-GAS rate case),  
18 45011 (NIPSCO Electric DSM), 45012 (NIPSCO Gas DSM), 45029 (IPL rate case), 45052  
19 (Vectren Gas CCGT CPCN), 45086 (Vectren 50 MW Solar Project), 45142 (Indiana-  
20 American rate case), 45145 (Duke Solar Leasing), 45151 (CWA Rate Case), and 45193  
21 (Duke Prepaid Proposal). In addition, my duties require me to testify before several of the  
22 Indiana General Assembly’s House and Senate committees and participate in panel  
23 discussions in public forums.

1 **Q. On whose behalf are you testifying?**

2 **A.** I am testifying on behalf of CAC.

3 **Q. What is the purpose of your testimony in this proceeding?**

4 **A.** On April 25, 2019, Northern Indiana Public Service Company (“NIPSCO” or “the  
5 Company”) filed with the Indiana Utility Regulatory Commission (“the Commission”) on  
6 behalf of a number of parties to this proceeding, including CAC, a Stipulation and  
7 Settlement Agreement On Less than All the Issues (“Revenue Requirement Agreement”).

8 On May 17, 2019, NIPSCO filed on behalf of itself, the NIPSCO Industrial Group,  
9 NLMK Indiana, and United States Steel Corporation (collectively, “Rate 831 Settling  
10 Parties”) a Stipulation and Settlement Agreement on Rate 831 Implementation (“Rate 831  
11 Agreement”). As noted by CAC Witness Wallach, of the \$1.48 billion total revenue  
12 requirement stipulated in the Revenue Requirement Agreement, about \$149.4 million  
13 would be allocated to and recovered from the Rate 831 class under the Rate 831 Agreement.

14 My testimony supports CAC’s request for the Commission to deny Northern  
15 Indiana Public Service Company’s (“NIPSCO”) alternative regulatory plan proposal for  
16 industrial restructuring and reject the proposed Rate 831 Agreement reached by NIPSCO  
17 and the industrial parties on May 17, 2019.

18 **Q. What did you do to prepare yourself to testify for this proceeding?**

19 **A.** I reviewed the relevant pre-filed testimony in this proceeding and the transcripts from the  
20 field hearing conducted in this case. I have also spoken to multiple members of the public  
21 regarding the proposed rate increase and proposed industrial subsidy.

22 **Q. Are there attachments to your testimony?**

23 **A.** Yes. I am sponsoring the following exhibits:

- 1           \* Attachment KLO-1 - Resolution of Michigan City Council
- 2           \* Attachment KLO-2 - Hammond High School Field Hearing Transcript Part 1
- 3           \* Attachment KLO-3 - Resolution of City of Hobart City Council
- 4           \* Attachment KLO-4 - Resolution of Highland Town Council
- 5           \* Attachment KLO-5 - Resolution of the Common Council of Hammond
- 6           \* Attachment KLO-6 - Minutes of the March 11, 2019 Meeting of the Common Council
- 7           of Hammond
- 8           \* Attachment KLO-7 - Resolution of the Gary Common Council
- 9           \* Attachment KLO-8 - Vote Tally on Resolution of Gary Common Council
- 10          \* Attachment KLO-9 - Hammond High School Field Hearing Transcript Part 2
- 11          \* Attachment KLO-10 - Hammond High School Field Hearing Transcript Part 3

12 **Q. Did a representative for CAC attend the field hearing conducted in this proceeding?**

13 **A.** Yes. CAC attended and heard passionate testimony from NIPSCO customers and  
14 community leaders about NIPSCO’s proposals in this general rate case. I personally  
15 attended the field hearing held at Hammond High School on March 11, 2019. Out of a  
16 total of 40 individuals who testified at those field hearings, not one voiced support for  
17 NIPSCO’s proposed industrial subsidy.

18 **Q. Did any elected officials testify?**

19 **A.** Yes, there were many, all of whom expressed concerns regarding the impact of the rate  
20 increase on the communities that they serve and the constituents they represent.

21           I will highlight a few of these individuals, starting with Don Przybylinski, Michigan  
22 City Council President. Mr. Przybylinski spoke to the burden that this proposed rate  
23 increase will place on municipal budgets, local businesses, small manufacturers, and

1 residents, most notably low- and fixed-income households. He spoke to the resolution that  
2 the Michigan City Council unanimously<sup>1</sup> passed in opposition to the proposed rate hike.<sup>2</sup>

3 He also addressed the proposed industrial subsidy. Specifically, he stated: “*So the*  
4 *residential and small business folks and the municipalities will see a 12 percent increase*  
5 *in their billing, but the industrial customers will have a 19 percent reduction. This is unfair*  
6 *to every residential customer to be saddled with the major portion of the increase.*”<sup>3</sup>

7 LaVetta Sparks-Wade who represents the 6th District in the City of Gary also spoke  
8 in opposition to the rate increase. She spoke passionately to the Commission regarding the  
9 impact that this proposed increase will have on her city and its residents. She said, “*So I*  
10 *plead of you, I beg of you, I implore you, not to give this increase because we -- not only*  
11 *will the City of Gary not be able to afford it, but the citizens of Gary will not be able to*  
12 *afford it either.*”<sup>4</sup>

13 Rebecca Wyatt who represents the 1<sup>st</sup> District in the City of Gary spoke in  
14 opposition to the rate increase, and discussed the proposed industrial subsidy. She stated,  
15 “*Such a dramatic -- Such a dramatic shift in the proposal that NIPSCO has to decrease so*  
16 *substantially the rate for industry and to increase it so substantially for*  
17 *residents and small businesses will be a severe economic hardship on our people, the*  
18 *people who can least afford it. While businesses can pass on any increase, there is no one,*  
19 *no one, for whom the family household can pass this on.*”<sup>5</sup>

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<sup>1</sup> Attachment KLO-2, page 7, lines 4-7

<sup>2</sup> Attachment KLO-1

<sup>3</sup> Attachment KLO-2, page 8, lines 7-12

<sup>4</sup> Attachment KLO-2, page 13, lines 17-20

<sup>5</sup> Attachment KLO-2, page 18, lines 1-7

1 **Q. Did any other public officials testify at the field hearing?**

2 **A.** Yes. They included Sean Fitzpatrick, Michigan City Common Councilman representing  
3 the 4<sup>th</sup> Ward; Charlie Brown, former long-time Indiana State Representative from Gary and  
4 current Lake County Council member representing the 3<sup>rd</sup> District; Paul Norwine, Jasper  
5 County Councilman representing District 1; and Michael Griffin, Clerk-Treasurer of the  
6 Town of Highland.

7 **Q. Did any of these public officials express support for the industrial subsidy?**

8 **A.** No.

9 **Q. You mentioned the resolution adopted by the Michigan City Council. Did other**  
10 **municipalities pass similar resolutions?**

11 **A.** Yes.

12 The City of Hobart unanimously adopted a resolution opposing the rate increase on  
13 April 17, 2019.<sup>6</sup>

14 The City of Highland also unanimously adopted a resolution opposing the rate  
15 increase on March 25, 2019.<sup>7</sup> This resolution specifically expressed opposition to the  
16 proposed industrial subsidy. It states in Section 1, “*That Highland Town Council, **strongly***  
17 ***opposes** NIPSCO requested increase to electrical rates of approximately eleven and three*  
18 *quarters percent (11.75%) increase to residential electrical rates, **while further proposing***  
19 ***a reduction for Industrial customers of nearly nineteen percent (19%) . . .**”<sup>8</sup>*

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<sup>6</sup> Attachment KLO-3

<sup>7</sup> Attachment KLO-4

<sup>8</sup> *Id.* (emphasis added).

1           The City of Hammond adopted a resolution opposing the rate increase on March  
2           11, 2019,<sup>9</sup> the same day as the field hearing. The minutes from that meeting display the  
3           unanimous vote on that resolution.<sup>10</sup>

4           Finally, the Common Council of Gary adopted a resolution opposing the rate  
5           increase on March 5, 2019.<sup>11</sup> The vote tally from that meeting displays the unanimous vote  
6           on that resolution.<sup>12</sup>

7   **Q. Did any other testimony at the field hearing in this proceeding prove especially**  
8   **compelling?**

9   **A.** Yes.

10           Dr. Ericka Kilbourne, Pastor of the First Presbyterian Church of Michigan City,  
11           Indiana, told the Commission of the “*severe and drastic effect*”<sup>13</sup> that this proposed rate  
12           hike would have on her congregation. She discussed the services that her congregation  
13           provides to vulnerable populations in her community, and stated, “*This rate hike would*  
14           *simply put our congregation into a situation where we could no longer meet and provide*  
15           *these essential needs for our neighbors.*”<sup>14</sup>

16           Nick Vasil, a retired library clerk at the Ivy Tech Community College in Gary,  
17           spoke to the industrial subsidy by asking the Commission, “*Simply and directly, I am*  
18           *requesting to know why NIPSCO is asking its residents and small businesses in our*  
19           *community to pay an extra 11.75 percent rate increase while corporations such as U.S.*

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<sup>9</sup> Attachment KLO-5

<sup>10</sup> Attachment KLO-6

<sup>11</sup> Attachment KLO-7

<sup>12</sup> Attachment KLO-8

<sup>13</sup> Attachment KLO-9, page 5, lines 24-25

<sup>14</sup> *Id.*, page 6, lines 19-21

1        *Steel, British Petroleum, and ArcelorMittal Steel industry and others will be paying about*  
 2        *19 percent less, less on their electric utility bill. This is unjust and unfair.”<sup>15</sup>*

3                Connie Wachala, a retired freelance writer and adjunct professor, also spoke to the  
 4        industrial subsidy when she stated, “*The five large corporations don't need lower electric*  
 5        *rates. ArcelorMittal made \$5.1 billion in profits in 2018. It would be shameful and cruel*  
 6        *to lower their rates and increase ours.”<sup>16</sup>*

7                Michael Pennanen, pastor of a church in Hammond, spoke to the Commission of  
 8        the discretionary fund his church provides to assist vulnerable households needing help  
 9        with paying their NIPSCO bills. He talked about running out of money in 2017, and  
 10       receiving a larger allotment in 2018, but he still ran out of funds and had to request more  
 11       from church leadership. He shared with the Commission, “*So it turned out that in 2018, I*  
 12       *gave \$4,600 to at least 150 people, and most of them were from Hammond, but indeed,*  
 13       *there were still some from Highland, Griffith, Dyer, and Munster. Other churches were*  
 14       *giving even more than I was able to, but it was enough to give me a sense of how much*  
 15       *need there is in the area.”<sup>17</sup>*

16    **Q. Did any witness at the field hearing express support for the industrial subsidy?**

17    **A.** No.

18    **Q. Please explain why the field hearing testimony is important for the Commission to**  
 19       **consider especially in this proceeding.**

20    **A.** The Commission website states:

21                The Commission is a fact-finding body that hears evidence in cases filed  
 22                before it and makes decisions based on the evidence presented in those

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<sup>15</sup> *Id.*, page 22, lines 1-7

<sup>16</sup> *Id.*, page 30, line 23—page 31, line 1

<sup>17</sup> Attachment KLO-10, page 21, lines 4-9

1 cases. An advocate of neither the public nor the utilities, the IURC is  
2 required by state statute to make decisions that balance the interests of all  
3 parties to ensure the utilities provide adequate and reliable service at  
4 reasonable prices.<sup>18</sup>

5 I present these transcripts from the public field hearings as evidence for the Commission  
6 to consider in deciding this case. These were the voices of the rate-paying public and many  
7 leaders who represent the rate-paying public—an entity with a substantial interest in this  
8 case and whose interests should be balanced with those of the utility and the large  
9 customers in this proceeding. All have an interest in achieving a fair and balanced  
10 outcome, but the parties to the 831 Settlement are its only beneficiaries. It should also be  
11 noted that of the many public officials, civic leaders, faith leaders, and citizens who all live  
12 and/or work in the region, not a single one expressed support for the industrial subsidy.

13 As a consumer and low-income advocate, I was moved by the testimony provided  
14 by the public. We heard from a former State Representative, City and County Councilors,  
15 teachers, pastors, students, business owners, non-profit employees, and many others from  
16 various walks of life and professions. I would encourage everyone who was unable to  
17 attend the field hearing to review the attached transcripts, especially those individuals at  
18 the Commission working on this complicated case.

19 As evidenced by the field hearing, the communities are doing their part to lift people  
20 up and working to improve the quality of life for their citizens. But large gaps remain and  
21 the proposed industrial subsidy only serves to exacerbate these issues. The Commission is  
22 in a critically important position to help address those gaps, not the least of which would

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<sup>18</sup> <http://www.in.gov/iurc/2451.htm>

1 be protecting these communities and their residents by not approving a substantial cost-  
2 shift.

3 **Q. What is your recommendation?**

4 **A.** I recommend that the Commission reject NIPSCO's alternative regulatory plan proposal  
5 for industrial restructuring and reject the proposed Rate 831 Agreement reached by  
6 NIPSCO and the industrial parties on May 17, 2019.

7 **Q. Does this conclude your testimony?**

8 **A.** Yes.

**VERIFICATION**

I, Kerwin L. Olson, affirm under penalties of perjury that the foregoing representations are true and correct to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Kerwin L. Olson

June 17, 2019  
\_\_\_\_\_  
Date

# **ATTACHMENT KLO-1**



# MICHIGAN CITY INDIANA

City Clerk's Office – Gale A. Neulieb – Phone: 219.873.1410 – Fax: 219.873.1560 – email: [galen@emichigancity.com](mailto:galen@emichigancity.com)

February 20, 2019

**VIA CERTIFIED MAIL: # 7016 3560 0000 2085 6647**

Consumer Services Staff  
Indiana Office of Utility Consumer Counselor  
115 W. Washington Street  
Suite 1500 South  
Indianapolis, IN 46204

Re: Resolution No. 4741 – Opposing Proposed NIPSCO Rate Hike – 12% Increase

Dear Consumer Services Staff:

Enclosed for your records is adopted Resolution No. 4741 pertaining to "Opposing Proposed NIPSCO Rate Hike – 12% Increase".

If you should have any questions, please do not hesitate to contact my office.

Respectfully,

A handwritten signature in black ink that reads "Gale A. Neulieb". The signature is written in a cursive style.

Gale Neulieb, City Clerk  
City of Michigan City, Indiana

CC: Corporate Counsel Amber Lapaich x2  
Don Przybylinski, President Common Council

Enclosure: Resolution No. 4741

FILED

FEB 06 2019

GALE A. NEULIEB  
CITY CLERK  
CITY OF MICHIGAN CITY

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 1741

OPPOSING PROPOSED NIPSCO RATE HIKE

WHEREAS, Northern Indiana Public Service Company (NIPSCO) has recently proposed an electric rate increase of approximately Twelve Percent (12%) for its resident and small business customers to the Indiana Utility Regulatory Commission; and

WHEREAS, the Indiana Utility Regulatory Commission is currently seeking public comments regarding the proposed rate hike; and

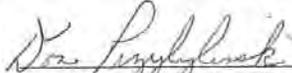
WHEREAS, such an excessive increase of Twelve Percent (12%) will place additional financial burdens on municipal budgets, local businesses, and on residents, particularly low income residents and those living on fixed incomes.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of Michigan City, Indiana as follows:

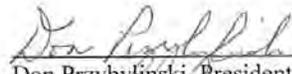
1. That the City of Michigan City, Indiana opposes the proposed Twelve Percent (12%) increase to NIPSCO rates.
2. The City Clerk is directed to forward a copy of this Resolution to the Indiana Office of Utility Consumer Counselor via email [uccinfo@oucc.IN.gov](mailto:uccinfo@oucc.IN.gov) or by mail at Consumer Services Staff, Indiana Office of Utility Consumer Counselor, 115 W. Washington St, suite 1500 South, Indianapolis, IN 46204.

This Resolution shall be in full force and effect after passage by the Michigan City Common Council and approval by the Mayor.

INTRODUCED BY:

  
Don Przybylinski, President  
Michigan City Common Council

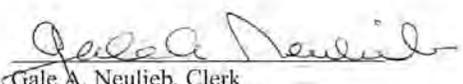
Passed by the Common Council of the City of Michigan City, Indiana, this 14th day of FEBRUARY, 2019 by a vote of 9 to 0

  
Don Przybylinski, President  
Michigan City Common Council

Approved by me, this 20th day of February, 2019.

  
Ron Meer, Mayor  
City of Michigan City, Indiana

ATTEST:

  
Gale A. Neulieb, Clerk  
City of Michigan City, Indiana

Prepared by Corporation Counsel Upon Request

OK-94  
"P"

1 1 1 1

2-6-19 EMAILED RESOLUTION - PROPOSED ORDINANCES / RESOLUTIONS -  
WALDE / KIM / DON BABCOCK  
- MAILED TO (P) COUNCIL



# **ATTACHMENT KLO-2**

## STATE OF INDIANA

## INDIANA UTILITY REGULATORY COMMISSION

PETITION OF NORTHERN INDIANA PUBLIC )  
SERVICE COMPANY LLC PURSUANT TO )  
INDIANA CODE SECTIONS 8-1-2-42.7, )  
8-1-2-61, AND INDIANA CODE 8-1-2.5-6 )  
FOR (1) AUTHORITY TO MODIFY ITS RATES )  
AND CHARGES FOR ELECTRIC UTILITY ) CAUSE NO.  
SERVICE THROUGH A PHASE IN OF RATES; ) 45159  
(2) APPROVAL OF NEW SCHEDULES OF RATES )  
AND CHARGES, GENERAL RULES AND )  
REGULATIONS, AND RIDERS; (3) APPROVAL )  
OF REVISED COMMON AND ELECTRIC )  
DEPRECIATION RATES APPLICABLE TO ITS )  
ELECTRIC PLANT IN SERVICE; (4) APPROVAL )  
OF NECESSARY AND APPROPRIATE ACCOUNTING )  
RELIEF, AND (5) APPROVAL OF A NEW )  
SERVICE STRUCTURE FOR INDUSTRIAL RATES )

TRANSCRIPT OF FIELD HEARING

Field Hearing commenced to be heard on March 11, 2019 at 6:00 P.M. (Local Time) at the Hammond High School Auditorium, 5926 Calumet Avenue, Hammond, Indiana before Chairman James F. Huston, Commissioner Sarah E. Freeman, Commissioner Stefanie Krevda, Commissioner David E. Ziegner and Administrative Law Judge Brad J. Pope (Presiding)

Reporter: Lynda A. Ruble

Pages: FH-A-1 to FH-A-54

INDEX OF WITNESSES

FOR THE PUBLIC:

Sean Fitzpatrick:. . . . .FH-A- 3 to FH-A- 4

Don Przybylinski:. . . . .FH-A- 5 to FH-A-11

LaVetta Sparks-Wade: . . . . .FH-A-12 to FH-A-13

Charlie Brown: . . . . .FH-A-14 to FH-A-16

Rebecca Wyatt: . . . . .FH-A-17 to FH-A-19

Stephen Perkins: . . . . .FH-A-20 to FH-A-21

Nancy Moldenhauer: . . . . .FH-A-22 to FH-A-24

Lou Donkle:. . . . .FH-A-25 to FH-A-31

Paul Norwine:. . . . .FH-A-32 to FH-A-37

Dennis Rackers:. . . . .FH-A-38 to FH-A-48

Susan M. Chiappetta: . . . . .FH-A-49 to FH-A-53

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1 Hammond, Indiana  
2 March 11, 2019  
3 6:00 P.M. (Local Time)

4

5 (Reporter marked document for identification as  
6 Public's Exhibit No. FH-1)

7

8 ADMINISTRATIVE LAW JUDGE BRAD J. POPE

9 (THE COURT): We are meeting today, March 11th, 2019, at  
10 6:00 P.M. at the Hammond High School Auditorium in Hammond,  
11 Indiana to hold a public Field Hearing before the Indiana  
12 Utility Regulatory Commission in a cause docketed before  
13 the Commission as Cause No. 45159.

14 This cause is captioned as "Petition of Northern  
15 Indiana Public Service Company LLC pursuant to Indiana Code  
16 Sections 8-1-2-42.7, 8-1-2-61, and Indiana Code 8-1-2.5-6  
17 for (1) authority to modify its rates and charges for  
18 electric utility service through a phase in of rates;  
19 (2) approval of new schedules of rates and charges, general  
20 rules and regulations, and riders; (3) approval of revised  
21 common and electric depreciation rates applicable to its  
22 electric plant in service; (4) approval of necessary and  
23 appropriate accounting relief, and (5) approval of a new  
24 service structure for industrial rates".

25 Notice of the time and place of this Field  
Hearing was given as provided by law by publication in

1 Lake County in the Post Tribune on February 6th, 2019 and  
2 in the Times on February 8th, 2019.

3 Notice was also given in Marion County in The  
4 Indianapolis Star on February 8th, 2019.

5 These newspapers are newspapers of general  
6 circulation, printed and published in the English language,  
7 and these publications were made at least ten days prior to  
8 the date of this public Field Hearing.

9 The proofs of publication of the notices have  
10 been received by the Commission and are now incorporated  
11 into the record of this cause by reference and placed in  
12 the official files of the Commission.

13 Notice has also been given to the Indiana Office  
14 of Utility Consumer Counselor and other interested parties.

15 May we, please, have appearances of counsel?

16 MS. JENNIFER A. WASHBURN: Thank you, Your Honor.

17 Appearing on behalf of Citizens Action Coalition,  
18 CAC, Jennifer Washburn, Indianapolis, Indiana.

19 MR. CHRISTOPHER C. EARLE: Appearing on behalf of  
20 the Petitioner, Northern Indiana Public Service Company,  
21 I'm Christopher C. Earle, NiSource Corporate Services  
22 Company, Indianapolis.

23 MR. JEFFREY M. REED: Thank you, Your Honor.

24 Appearing on behalf of the Public, Jeff Reed,  
25 Indiana Office of the Utility Consumer Counselor.

1 THE COURT: Thank you, Counselors.

2 Now, will everyone who plans to give testimony in  
3 this public Field Hearing, please, stand and raise your  
4 right hand to be sworn in.

5

6 (OATH DULY ADMINISTERED TO NUMEROUS PERSONS)

7

8 THE COURT: Thank you, all.

9 You may now be seated.

10 Mr. Reed, please call the first person who wishes  
11 to speak.

12 MR. REED: Thank you, Your Honor.

13 Your Honor, the Public first calls Mr. Sean  
14 Fitzpatrick.

15

16 **SEAN FITZPATRICK**, a witness appearing on behalf of the  
17 Public, having been first duly sworn,  
18 testified as follows:

19

20 **DIRECT EXAMINATION,**

21 **QUESTIONS BY MR. REED:**

22 Q Good evening, sir.

23 A Good evening.

24 Q Thank you. That's perfect. That's good volume.

25 Sir, could you, please, spell your last name for

1 the record?

2 A F-i-t-z-p-a-t-r-i-c-k.

3 Q Thank you very much, sir.

4 The floor is yours.

5 A Hi. My name is Sean Fitzpatrick, and I am a member of  
6 the Michigan City Common Council representing the 4th Ward.

7 I was recently contacted by one of my neighbors  
8 with concerns about the proposed cost shift. My neighbor  
9 is an elderly widow living on a fixed income. She receives  
10 social security and her late husband's pension and is  
11 terribly afraid of losing the ability to feed herself and  
12 her dog.

13 I would like this Commission to take her story  
14 and the countless other ones like it into consideration in  
15 this matter.

16 Thank you.

17 Q Thank you, sir.

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**(WITNESS SEAN FITZPATRICK EXCUSED)**

1 MR. REED: Your Honor, the Public next calls --  
2 forgive me, folks -- Mr. Don Przybylinski.

3 Am I close?

4 WITNESS DON PRZYBYLINSKI: Yes.

5

6 **DON PRZYBYLINSKI**, a witness appearing on behalf of the  
7 Public, having been first duly sworn,  
8 testified as follows:

9

10 **DIRECT EXAMINATION,**

11 **QUESTIONS BY MR. REED:**

12 Q Good evening, sir.

13 A Good evening, everyone.

14 Can you hear me okay?

15 Q Sir, can I have you, please, spell your last name for  
16 the record?

17 A P-r-z-y-b-y-l-i-n-s-k-i.

18 Q Thank you very much, sir.

19 The floor is yours.

20 A Thank you very much.

21 I stand before you this evening proudly as the  
22 Michigan City City Council President, and Michigan City is  
23 the 31st largest city in Indiana with a population of  
24 31,000 people.

25 The Michigan City City Council took the lead, I

1 believe, with the cities in the NIPSCO rate increase area  
2 as far as passing a Resolution saying that we oppose the  
3 rate hike, and I know that the cities of, I believe, Gary  
4 and I believe it was Hammond or possibly Highland, and now  
5 they are doing the same thing, and so I'm proud to say that  
6 Michigan City took the lead on this.

7           What I'd like to do is read the Resolution to  
8 you, and it begins as WHEREAS, the Northern Indiana Public  
9 Service Company, which is NIPSCO, has recently proposed an  
10 electric rate increase of approximately 12 percent for its  
11 resident and small business customers to the Indiana  
12 Utility Regulatory Commission; and WHEREAS, the Indiana  
13 Utility Regulatory Commission is currently seeking public  
14 comments regarding the proposed rate hike; and WHEREAS,  
15 such an excessive increase of 12 percent will place  
16 additional financial burdens on municipal budgets, such as  
17 Michigan City's, local businesses, and on residents,  
18 particularly low income residents and those living on fixed  
19 incomes.

20           NOW, THEREFORE, BE IT RESOLVED by the Common  
21 Council of Michigan City, Indiana that the City of Michigan  
22 City, Indiana opposes the proposed 12 percent increase to  
23 NIPSCO rates, and that the City Clerk is to direct -- to  
24 forward a copy of this Resolution to the Indiana Office of  
25 Utility Consumer Counselor via email or by mail at the

1 Consumer Services Staff at the Indiana Office of the  
2 Utility Consumer Counselor at 115 West Washington Street,  
3 Indianapolis, Indiana, and that was passed by the Michigan  
4 City City Council on the 9-0 vote. We have nine members,  
5 and all the members signed in favor or voted in favor of  
6 the Resolution, and it was signed the next day by the Mayor  
7 of Michigan City.

8           And just a couple facts that the reason this  
9 Resolution was put together, and this is what was read at  
10 the Council Meeting that evening, that if there was to be a  
11 12 percent raise in the electric charges for an average  
12 residential customer, at 689 kilowatt hours, it would raise  
13 their bill from \$94 a month to \$105 a month or a \$137  
14 increase per year. A resident using 1,000 kilowatt hours  
15 would have their bill go up monthly from \$130 to \$146 which  
16 on average would be \$187 per year.

17           Now, just after -- in October of 2018, and this  
18 board here may have heard that rate increase at that time,  
19 but in October, NIPSCO instituted a 3 percent a month gas  
20 hike which means with the gas rate increase, this will  
21 gradually rise to \$8 a month over the next two years for  
22 residential, commercial, and industrial usage.

23           When added together, both the gas increase that's  
24 already been passed through and the electric increase, a  
25 bill which is now \$201 a month will increase \$283 over a

1 year. I should say that's over a year that it will  
2 increase \$283 per year.

3           While residents and small business customers will  
4 see a rate hike of 12 percent, we all know and we've all  
5 heard that to come up -- that the industrial customers are  
6 looking for a 19 percent reduction in their NIPSCO bill.

7           So the residential and small business folks and  
8 the municipalities will see a 12 percent increase in their  
9 billing, but the industrial customers will have a  
10 19 percent reduction. This is unfair to every residential  
11 customer to be saddled with the major portion of the  
12 increase.

13           Now, the cost to the City's -- to the Michigan  
14 City municipal budget. In talking to the City  
15 Controller -- And our NIPSCO bill on an annual basis is a  
16 little bit over a million dollars a year, and the rate  
17 increase to Michigan City will be an approximately \$175,000  
18 a year increase. In talking to the City Controller, I  
19 asked him: Where will we come up with this additional  
20 \$175,000? Well, three weeks ago, he couldn't answer that,  
21 and I don't know if he can answer that question right now.  
22 He's just hoping that we get more tax monies in to pay the  
23 bill, but, then, again, it shows that the municipal budget  
24 will be strapped for \$150,000 more when it could be using  
25 that money to take care of issues that residents in the

1 City have.

2           Now, as to the affordability to the residents of  
3 Michigan City. Michigan City is the 31st largest city in  
4 the State of Indiana, and the median household income is  
5 \$3,445 lower than the median incomes throughout the whole  
6 State of Indiana and \$9,600 less than the U.S. median  
7 income for a household, and the average income per male is  
8 \$36,000, and this is where I find it very hard to  
9 understand why this is so low, but then the burden that  
10 will be put on women and females is that the average income  
11 per female is \$22,000 a year in the City of Michigan City.

12           Now, if we are going to try to strap a 12 percent  
13 increase on someone making \$22,000, that is not fair  
14 whatsoever, and we're going to turn around and give  
15 industrial users a 19 percent decrease which are making  
16 millions of dollars a year.

17           Small manufacturing. I've talked to a few small  
18 manufacturing companies in Michigan City, and they said  
19 with a 12 percent increase in their electric bill, they  
20 will have to incur an additional cost of \$5,000 a year, and  
21 I'm talking a company the size of 100 employees. So now  
22 they're going to have to charge -- they will have to pay  
23 that, and their billing on their products is going to go  
24 up, and that \$5,000 that is now going towards their utility  
25 bill could have been used to increase wages or increase

1 benefits for their employees.

2           Finally, 30 percent of the population of Michigan  
3 City live below the poverty level; 28 percent of the people  
4 in Michigan City live below the poverty level, and this is  
5 higher than the national average of 14 percent. Now how do  
6 we expect folks that live below the poverty level to turn  
7 around and say, okay, next month, you're going to pay a  
8 12 percent increase in your NIPSCO bill.

9           I've already -- And I know with speaking with  
10 Councilman Fitzpatrick, he said he was speaking to a few  
11 constituents this week that said: It's either going to be  
12 food or my NIPSCO bill; what choice do I have here? That's  
13 the situation that we are running into in Michigan City.

14           So I would ask the Commission to take a hard look  
15 at the 12 percent increase and hopefully not grant any of  
16 it, but if you have to grant some of it, please consider  
17 the people that live in Michigan City, Indiana. Please  
18 consider that 30 percent of the people live below the  
19 poverty level. Please consider the women that make \$22,000  
20 a year, and please consider the business owner that's  
21 trying to keep his lights on but yet he's going to turn  
22 around and have to pay a \$5,000 increase in his utility  
23 bill.

24           Thank you very much. I appreciate your  
25 consideration on this.

1 Q Thank you, sir.

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**(WITNESS DON PRZYBYLINSKI EXCUSED)**

1                   MR. REED:   The Public now calls Ms. LaVetta  
2 Sparks-Wade.

3

4 **LaVETTA SPARKS-WADE**, a witness appearing on behalf of the  
5                   Public, having been first duly sworn,  
6                   testified as follows:

7

8 **DIRECT EXAMINATION,**

9                   **QUESTIONS BY MR. REED:**

10 Q            Good evening, ma'am.

11 A            Good evening.

12 Q            Could I get you to spell your last name for the  
13 record, please?

14 A            S-p-a-r-k-s-W-a-d as in David-e.

15 Q            Councilwoman, the floor is yours.

16 A            My name is LaVetta Sparks-Wade, and I serve the  
17 citizens of the 6th District in the City of Gary. I am in  
18 my first term, and during my first term in office, our  
19 major problem in the City of Gary has to been our fiscal  
20 situation. We are in a fiscal crisis at this time, and we  
21 will not be able to afford any type of increase.

22                   At this time, the City of Gary is unable to pave  
23 streets, unable to even provide salt when the initial snow  
24 fell at the beginning of the winter. We owe the salt  
25 company \$274,000 from the previous year and had to approve

1 an Ordinance to pay that in order for us to get our first  
2 delivery of salt.

3           The median income in the City of Gary is  
4 approximately \$15,000 annually. Our City Council also  
5 passed a Resolution, and we thank the Council of Michigan  
6 City for leading the charge on that, but we also passed a  
7 Resolution in opposition to any type of rate increase from  
8 NIPSCO.

9           We are continuously shifting the burden of  
10 utilities, of taxes, of increases of all kinds, on to the  
11 taxpayer, and this is not fair to our aging population.  
12 Right now in the City of Gary, we have lost more than half  
13 of our population over the past 40 years, and right now,  
14 our elderly citizens are finding it difficult just to keep  
15 up when they only get between a 2 and 3 percent increase in  
16 their cost of living.

17           So I plead of you, I beg of you, I implore you,  
18 not to give this increase because we -- not only will the  
19 City of Gary not be able to afford it, but the citizens of  
20 Gary will not be able to afford it either.

21           Thank you.

22 Q       Thank you, ma'am.

23

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**(WITNESS LAVETTA SPARKS-WADE EXCUSED)**

1                   MR. REED: Your Honor, the Public next calls  
2 Mr. Charlie Brown.

3

4 **CHARLIE BROWN**, a witness appearing on behalf of the Public,  
5                   having been first duly sworn, testified as  
6                   follows:

7

8 **DIRECT EXAMINATION,**

9                   **QUESTIONS BY MR. REED:**

10 Q            Good evening, sir.

11 A            Good evening.

12 Q            Sir, I don't want to leave you out, so can you spell  
13 your last name for the record as well?

14 A            Brown, B-r-o-w-n.

15 Q            Thank you, Councilman Brown.

16                   The floor is yours.

17 A            Members of the Commission, I just recently retired  
18 from the Indiana General Assembly, and I see some familiar  
19 faces among the Commissioners, and now I represent a  
20 district on the county level at the County Council.

21                   There's quite a difference in doing things for  
22 the entire State versus now just for a county of a little  
23 over 400,000, and today as we are here, I don't think you  
24 will find a single person here -- maybe so -- that will  
25 come forward and say that they are in favor of this

1 increase that NIPSCO is requesting mainly for the reasons  
2 that you heard from the representative from Michigan City  
3 and then just the person in front of me, the Council person  
4 from the City of Gary, and it holds true across this region  
5 in which NIPSCO represents, that it is a hardship on  
6 most -- every family -- 90 percent of the families and in  
7 most businesses to attempt to deal with this kind of  
8 increase.

9           I think there's a paralysis of analysis by NIPSCO  
10 by saying that, well, we need you, the citizens of  
11 northwest Indiana, and you need us; we cannot do without  
12 one another, but there has to be a happy medium in there.  
13 NIPSCO has improved tremendously their relationship with  
14 the individual residents, but the individual residents are  
15 still saying: NIPSCO, you want too much out of my daily  
16 living revenue.

17           So I request -- I am requesting of the County  
18 Council tomorrow to approve a Resolution that I introduced  
19 saying we are against -- opposed to this kind of increase.  
20 Hopefully I will get three more of my colleagues, hopefully  
21 all six of them, to agree with me and forward to you the  
22 Resolution saying that as representatives of the County of  
23 Lake, we are, in fact, opposed to this increase.

24           I'm going to keep my comments brief because I  
25 know there are a lot of people -- And I think this entire

1 audience, if I were to ask them to -- and I'm not going to  
2 take over your duties -- if they would raise their hand, is  
3 there anyone here in favor of this rate increase, and it  
4 is -- it may be miniscule to NIPSCO, but it is -- creates a  
5 very, very hard -- a very, very difficulty [verbatim] on  
6 the average homeowner and small business here in the County  
7 of Lake.

8           For those reasons, and probably a thousand others  
9 that I could go through, that's why I am here officially  
10 tonight just as an individual County Councilman, but  
11 hopefully by noon tomorrow, it will be official from the  
12 entire County Council of Lake County that we are opposed to  
13 this increase.

14           Thank you very much.

15 Q       Thank you, sir.

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**(WITNESS CHARLIE BROWN EXCUSED)**

1           MR. REED: Your Honor, the Public next calls  
2 Ms. Rebecca Wyatt.

3

4 **REBECCA WYATT**, a witness appearing on behalf of the Public,  
5           having been first duly sworn, testified as  
6           follows:

7

8 **DIRECT EXAMINATION,**

9           **QUESTIONS BY MR. REED:**

10 Q       Good evening, ma'am.

11 A       Good evening.

12 Q       Could I have you spell your last name for the record,  
13 please?

14 A       Yes, certainly.

15           It's W-y-a-t-t.

16 Q       Councilwoman, the floor is yours.

17 A       Thank you.

18           Thank you, all. I am pleased to be here as a  
19 1st District Councilman for the City of Gary, Indiana. I  
20 represent the neighborhoods of Aetna, Emerson, Glen Ryan,  
21 and Miller.

22           I applaud my colleague, Councilman LaVetta  
23 Sparks-Wade, for bringing out some of the information about  
24 the financial hardships that our City has faced and  
25 continues to face.

1           Such a dramatic -- Such a dramatic shift in the  
2 proposal that NIPSCO has to decrease so substantially the  
3 rate for industry and to increase it so substantially for  
4 residents and small businesses will be a severe economic  
5 hardship on our people, the people who can least afford it.  
6 While businesses can pass on any increase, there is no one,  
7 no one, for whom the family household can pass this on.

8           I wanted to let you know some of the facts of  
9 what the City of Gary pays. We pay to NIPSCO, the City of  
10 Gary, for streetlights alone an average of \$150,000 a  
11 month; that's streetlights alone. I got the information  
12 from the Controller. Our January 2019 monthly bill from  
13 NIPSCO was \$217,617.84.

14           So when you add the streetlights of 150, and if  
15 you round this up -- this 217, round it up to 220, you've  
16 got 370. That's \$370,000 a month that the City of Gary  
17 pays just in utility bills. If we do the math, which I'm  
18 sure many people have done already, we come up with another  
19 \$45,000 a month that the City will have to pay. This is an  
20 increase that the City and its residents cannot afford.

21           I stand here today and speak in opposition to  
22 NIPSCO's illogical proposal for a rate increase for its  
23 residents and small businesses and a rate decrease for its  
24 biggest customers.

25           Thank you.

1 Q Thank you, ma'am.

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**(WITNESS REBECCA WYATT EXCUSED)**

1                   MR. REED: Your Honor, the Public now calls  
2 Dr. Stephen Perkins.

3

4 **STEPHEN PERKINS**, a witness appearing on behalf of the  
5                   Public, having been first duly sworn,  
6                   testified as follows:

7

8 **DIRECT EXAMINATION,**

9                   **QUESTIONS BY MR. REED:**

10 A            Good evening.

11 Q            Good evening, sir.

12                    Could you, please, spell your last name for me?

13 A            P-e-r-k-i-n-s.

14 Q            Thank you very much, Dr. Perkins.

15                    Go ahead.

16 A            The rate increase, in my opinion, is both unjust and  
17 unjustifiable. The major industrials are really holding  
18 NIPSCO and through NIPSCO the rest of the rate base  
19 hostage by threatening to pull out from the NIPSCO system  
20 and create power on their own.

21                    All of the infrastructure that NIPSCO has has  
22 been approved by you, and it's almost in all cases  
23 long-lived assets, and the approval of investments to  
24 create the NIPSCO network in generation capacity was done  
25 to serve both citizens and the industrials, and so by

1 implicitly or explicitly threatening to pull out, the  
2 industrials are really holding all of us hostage.

3           The way to handle this, in my opinion, is to say  
4 that if the industrials want to pull out, they have to  
5 fully fund the stranded assets they leave behind and really  
6 remove the financial incentive to pull out. Absent the  
7 threat of pulling out, I don't think that anybody thinks  
8 there's a reasonable justification for reducing the  
9 electricity bills of these -- the rates of these large  
10 industrials, and we need to maintain a parity between  
11 citizens and industrials. The infrastructure was built for  
12 both, and it should be funded on a continuing basis by  
13 both.

14           Thank you very much.

15 Q       Thank you, sir.

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**(WITNESS STEPHEN PERKINS EXCUSED)**

1 MR. REED: Your Honor, the Public next calls  
2 Ms. Nancy Moldenhauer.

3

4 **NANCY MOLDENHAUER**, a witness appearing on behalf of the  
5 Public, having been first duly sworn,  
6 testified as follows:

7

8 **DIRECT EXAMINATION,**

9 **QUESTIONS BY MR. REED:**

10 Q Good evening, ma'am.

11 A Hi.

12 Q Whoops, I lost my mike. There we go.

13 Could I have you spell your last name for me,  
14 ma'am?

15 A Sure.

16 M-o-l-d-e-n-h-a-u-e-r.

17 Q Thank you, ma'am.

18 You may go ahead.

19 A Sure.

20 Thank you for allowing us to come here this  
21 evening to make testimony for the public utilities  
22 Regulatory Commission.

23 I don't want to mix apples with oranges --

24 COMMISSIONER DAVID E. ZIEGNER: Can you use your  
25 microphone?

1           WITNESS MOLDENHAUER: Thank you, sir.

2 A       I don't want to mix apples with oranges, but I am  
3 going to bring in some federal government information in my  
4 testimony.

5           Recently, businesses already got a 30 percent  
6 decrease in federal taxes; so they have received  
7 significant relief already from the federal government.  
8 Most people have seen very little of an annual federal tax  
9 decrease, and this is based on what I heard from friends  
10 who already prepared their income taxes, and certainly  
11 people, when they were getting their weekly paychecks, they  
12 were saying it was exactly the same or they were seeing  
13 just a little bit more money come home every week. So the  
14 people I'm talking about are people that are average income  
15 or even below income.

16           I wanted to spend a little time talking about  
17 those who live in poverty. I prepared a lot of statistics  
18 here, but I'm not going to go through those, and I'm going  
19 to refer to City Council President Don Przybylinski of  
20 Michigan City who did an excellent job of presenting to you  
21 various scenarios of people who live in poverty and how  
22 much of their income actually is going to be increased and  
23 going to public utility costs.

24           Instead, I'm going to make a request to you that  
25 these people that live in poverty or near poverty not have

1 to make a choice of food and medicine over having to keep  
2 warm in the wintertime or a little bit cooler in the  
3 summertime. These are the people who are going to be  
4 affected the most by this increase. People like me who  
5 have had -- who, you know, gained advanced degrees and have  
6 had white-collar jobs, we can pay it, and it's not going to  
7 affect us that much, but looking at most of the people who  
8 live in Michigan City, it's going to be a real burden for  
9 them.

10           So I'm making a request that there not be a  
11 12 percent increase for residential customers and small  
12 businesses and also that no 19 percent decrease be granted  
13 for the industrial companies, and I think that's fair. If  
14 we continue the way we have been, then, that's what's going  
15 to be fair.

16           I thank you very much.

17 Q       Thank you, ma'am.

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**(WITNESS NANCY MOLDENHAUER EXCUSED)**

1 MR. REED: Can you hear me now? Perfect.

2 Your Honor, the Public next calls Mr. Lou Donkle.

3

4 **LOU DONKLE**, a witness appearing on behalf of the Public,

5 having been first duly sworn, testified as

6 follows:

7

8 **DIRECT EXAMINATION,**

9 **QUESTIONS BY MR. REED:**

10 Q Good evening, sir.

11 A Hello.

12 Does my mike work better than yours, I hope?

13 Q Sir, can you spell your last name for the record,  
14 please?

15 A My last name is Donkle, D-o-n-k-l-e.

16 Q Thank you, sir.

17 Go ahead, please.

18 A I would like to thank the Commission for this  
19 opportunity to express our opinions about the NIPSCO --  
20 proposed NIPSCO rate increase and rate structure changes.  
21 Since NIPSCO is a public utility monopoly, your role to  
22 assure our community has reliable service at a fair price  
23 over the long term is invaluable, and I thank you for your  
24 efforts to that end.

25 I have three areas of concern about the NIPSCO

1 proposal that I wish you would consider carefully. They  
2 are increasing the fixed monthly charge from \$14 to \$17;  
3 the overall rate increase of 1.4 percent, and cost shifting  
4 from NIPSCO's five largest customers by decreasing their  
5 bill 18.9 percent to everybody else who will pay  
6 11.75 percent more.

7           So my objections on the first item, increasing  
8 the fixed monthly charge, is I believe that global warming  
9 from burning fossil fuels is the biggest problem our  
10 generation is handing to our children and our  
11 grandchildren. As such, our collective community  
12 regulations on NIPSCO should always act to encourage  
13 conservation of fossil fuels.

14           However, NIPSCO's proposal to increase the fixed  
15 monthly charge would move our motivations in the opposite  
16 direction. By increasing the fixed portion of our bills  
17 and, therefore, reducing the variable portion of our bills,  
18 this change will reduce our motivations to conserve  
19 electricity and hence fossil fuels. This is simple logic  
20 from the law of supply and demand. When prices go up, as  
21 with higher variable cost, demand would go down, but when  
22 prices go down, as with lower variable cost, then demand  
23 will go up. As such, I believe that for the future of our  
24 children, our grandchildren, and the planet, I am opposed  
25 to increasing the fixed monthly charge. This is the wrong

1 thing to do.

2           My second area of concern is the overall rate  
3 increase of 1.4 percent. I oppose any net rate increase  
4 for NIPSCO because I'm very suspicious of how NIPSCO and  
5 NiSource have utilized our utility payments to grow their  
6 company over the past ten years.

7           I would like to apologize up front for my  
8 financial misunderstandings if my observations are not  
9 accurate or they're missing some key information; however,  
10 looking at the NiSource stock price over the last ten years  
11 has raised my suspicion. In the last ten years, between  
12 2009 and 2019, the NiSource stock price has increased about  
13 860 percent. The S&P 500 is up only 220 percent, but more  
14 importantly, the S&P Utilities Index, which is what  
15 NiSource belongs to; they are a part of that index, is up  
16 only about 170 percent.

17           So that means that the NiSource stock price which  
18 increased 860 percent has increased about 520 percent more  
19 than the average utility company on the S&P 500 which went  
20 up 170 percent during the last ten years.

21           I have graphs attached to my presentation that,  
22 you know, very easily show this comparison. You look at a  
23 simple chart of how these stock prices -- how NiSource has  
24 stood out compared to everybody else is just breathtaking.

25           So does this dramatic out-performance of NiSource

1 stock price seem as surprising to you as it does to me?  
2 NiSource is a regulated utility industry; right? It's in a  
3 regulated industry -- It is a regulated company; right?  
4 According to their own website, quote, virtually all of our  
5 revenues are generated from regulated utility operations  
6 and investments.

7           So I ask: Aren't regulated utility investments  
8 supposed to be boring, reliable, stable, high dividend  
9 paying investments, not bets on capital appreciation? If  
10 this is true, how can the NiSource stock price have  
11 out-performed its peers in the regulated utility industry  
12 by so much in the last ten years?

13           Commissioners, this is the reason that I am  
14 suspicious about granting NIPSCO a net -- let's see --  
15 Commissioners, this is the reason I am suspicious about  
16 granting NIPSCO a net rate increase. I am afraid that they  
17 have found a way to beat the system of being a regulated  
18 utility by manipulating their many regulatory authorities  
19 that exist for them in the many different states that they  
20 operate.

21           Furthermore, information about NiSource's  
22 lobbying efforts that I found on Wikipedia and at  
23 OpenSecrets.org has not calmed my concerns. On the  
24 Wikipedia page for NiSource under the topic of Criticism,  
25 it says that in December 2011, the non-partisan

1 organization of Public Campaign criticized NiSource for  
2 spending \$1.83 million on lobbying and not paying any taxes  
3 during the period from 2008 to 2010. Instead, they got  
4 \$227 million in tax rebates despite making a profit of  
5 \$1.4 billion and increasing executive compensation pay by  
6 33 percent to \$11.2 million in 2010 for its top five  
7 executives.

8           On OpenSecrets.org, it shows that in the last  
9 year, 2018, NiSource spent \$430,000 on lobbyists, hired  
10 nine lobbyists, and has eight revolving door -- quote/  
11 unquote revolving door employees.

12           Commissioners, again, I apologize for my  
13 misunderstandings on this subject, if there are any, but I  
14 would like to thank you for considering my concerns in this  
15 area as you study this case.

16           For my third area of concern, cost shifting from  
17 NIPSCO's five largest customers to everybody else,  
18 Commissioners, I surely hope that there are dramatic  
19 justifications for this massive cost-shift proposal. As  
20 you all must surely be aware, this proposal reeks -- this  
21 proposal reeks of yet another blast of trickle-down  
22 economics. Give to the corporations and the rich; take  
23 from the poor and the working class. This proposal is  
24 incredibly ugly on its face.

25           My understanding is that NIPSCO's motivation for

1 requesting this proposal centers around keeping these five  
2 large NIPSCO customers as NIPSCO customers by reducing  
3 their -- the financial -- the industrial customers'  
4 motivation, by reducing their financial justification to  
5 act on threats that they have made to install their own  
6 generating capacity.

7           Is that true? I don't really know. If it is  
8 true that the large customers wish to become more  
9 independent from NIPSCO, isn't that an opportunity for  
10 NIPSCO to enhance its Integrated Resource Plan, its IRP?  
11 After all, that plan calls for 53 percent renewable energy  
12 by 2023 in just four years and 65 percent renewable energy  
13 by 2028 in just nine years from now.

14           As NIPSCO retires the coal plants as called for  
15 in the plan and replaces them with numerous smaller  
16 renewable energy plants, wouldn't more diversity and  
17 independence from large customers be a good thing for  
18 NIPSCO and not something to be feared and avoided?

19           So to summarize my concerns about shifting costs  
20 away from NIPSCO's five largest customers and on to  
21 everybody else, I'm opposed to that shift for two reasons.  
22 First, it is just plain unfair, and I say enough is enough,  
23 but secondly, incentivizing NIPSCO's large customers to not  
24 invest in alternative power generation seems a very foolish  
25 priority given NIPSCO's stated Integrated Resource Plan of

1 shutting down 100 percent of their coal-fired plants over  
2 the next ten years.

3           So, in conclusion, I wish to thank the Commission  
4 again for this opportunity for the public to share our  
5 opinions, and I'd also like to thank the Commission for the  
6 important work you do in our economic system to balance the  
7 power of a regulated monopoly against the needs of the  
8 public for reliable service at a fair price over the long  
9 term.

10           I thank you.

11 Q       Thank you very much, sir.

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**(WITNESS LOU DONKLE EXCUSED)**

1 MR. REED: Your Honor, the Public next calls  
2 Mr. Paul Norwine.

3 UNIDENTIFIED PERSON: We can't hear you.

4 MR. REED: You can't hear me?

5 How about now?

6 UNIDENTIFIED PERSON: Why don't you stand up?

7 MR. REED: I can do that, sir.

8 I'm going to try this without the mike.

9 Can you hear me now?

10 UNIDENTIFIED PERSON: I can hear you now.

11 MR. REED: Excellent.

12 Paul Norwine?

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14 **PAUL NORWINE**, a witness appearing on behalf of the Public,  
15 having been first duly sworn, testified as  
16 follows:

17

18 **DIRECT EXAMINATION,**

19 **QUESTIONS BY MR. REED:**

20 Q Can you, please, spell your name for the record, sir?

21 A N as in Nancy-o-r-w-i-n as in Nancy-e.

22 Q Thank you, sir.

23 The floor is yours.

24 A First, I want to apologize for reading from a prepared  
25 statement. I'm a high school government teacher, and I

1 could easily take 50 minutes of your time, and I don't want  
2 to do that to everybody, and to the gentleman who just  
3 spoke, I think I need to contact you to speak to my  
4 students.

5           Good evening, Chairman Huston, Commissioners, and  
6 IURC Staff. My name is Paul Norwine. I serve as the  
7 Jasper County Councilman District 1, and I also am a  
8 government teacher at Kankakee Valley High School. I am  
9 also speaking today as a lifelong resident of Jasper  
10 County, a taxpayer, a consumer of local products, and a  
11 NIPSCO customer.

12           I'd also like to add, since I've heard that the  
13 steelworkers will not be able to speak tonight, I'm the  
14 proud grandson, son, and nephew of steelworkers. About the  
15 only group I'm not affiliated with is NIPSCO, and I'm  
16 certain they would have muzzled me already.

17           I'm extremely concerned about NIPSCO's plan to  
18 prematurely retire the Schahfer and Michigan City coal-  
19 fired units and the proposed 11.2 percent rate increase.  
20 It is unjustifiable, and it would be detrimental to the  
21 entire community and NIPSCO customers. The plan, if  
22 approved, will mean a big payday for NIPSCO and a bigger  
23 electricity bill for its customers, many who are on fixed  
24 incomes.

25           For those who are not familiar, the Schahfer

1 generating plant is in Kankakee Township in Jasper County.  
2 We are a county of about 33,000 residents.

3           NIPSCO plans to replace the cheaper source of  
4 reliable energy with renewable energy. Coal has made  
5 Indiana one of the lowest-cost states for electricity in  
6 the nation. NIPSCO says they will need 3,929 megawatts of  
7 wind and solar to replace the 2,094 megawatts of coal  
8 capacity. Knowing the intermittency of our weather, will  
9 NIPSCO be able to buy energy off the grid in peak  
10 electricity time? Will we have rolling brownouts as  
11 California did in 2001 which led to the end of Gray Davis  
12 as their Governor and Arnold Schwarzenegger becoming their  
13 Governor?

14           NIPSCO is underestimating the costs of building,  
15 maintaining, and operating back-up power supplies and  
16 regulating the power grid. NIPSCO is demanding that its  
17 customers shoulder the risk of our energy spike to  
18 multiples of what we currently pay.

19           Over the past decade, NIPSCO invested more than  
20 \$770 million of environment upgrades paid for by taxpayers  
21 at the Schahfer and Michigan City plants. That's almost  
22 three-quarters of a billion dollars that they're just ready  
23 to flush down the drain. The power plants themselves are  
24 quite young and have an estimated around 16 to 21 years of  
25 expected useful life left according to industry

1 expectations.

2           So even if the coal plants are no longer  
3 operational, NIPSCO proposes to charge ratepayers  
4 \$25 million annually for the next eight years in  
5 accelerated depreciation for the Schahfer and the Michigan  
6 City power plants; therefore, the ratepayers will get hit  
7 twice, continue to pay for the plants' environmental  
8 upgrades as well as the accelerated recovery costs.

9           NIPSCO is the largest property taxpayer in Jasper  
10 County and one of the top three in LaPorte County. Prior  
11 to the announcement to prematurely close the Wheatfield  
12 plants, NIPSCO approached Jasper County for a possible  
13 abatement so the company could considerably increase  
14 natural gas usage. The county proposed a plan but then  
15 were shocked when NIPSCO announced their plan to shut down  
16 the plant.

17           I believe the company is being shortsighted when  
18 referencing the impact of the retirement of the coal-fired  
19 plants on local economies, particularly in Jasper County.  
20 Jasper County would lose 552 direct and indirect jobs due  
21 to the closure of the Schahfer plant alone. In addition to  
22 more than 270 union workers who are employed at the plants,  
23 there are contractor employees, local vendors, and small  
24 businesses that will be affected. Our schools,  
25 administrators and teachers, police and fire departments,

1 EMS and city highway departments, some could be eliminated  
2 if the power plants are shut down.

3           In a recent jobs study conducted by a nationally  
4 recognized economic firm, it predicts unemployment will  
5 rise from 4 percent to 9 percent when the plant closes, and  
6 the unemployment rate in Jasper County would more than  
7 double. I have attached a chart that I will give to  
8 Councilman [verbatim] Reed. The company has not been up  
9 front about the impact its plan will have on our community;  
10 therefore, Jasper County government and Kankakee Valley  
11 School Corporation has found it difficult to plan for the  
12 future.

13           How is the plan in the best interest of the  
14 customers? People lose their job; their monthly  
15 electricity bill increases; their property tax bill  
16 significantly increases; our school districts are adversely  
17 affected.

18           NIPSCO laid out the future electric generation  
19 plan that will cut jobs, raise electric rates, and weaken  
20 the reliability of the electric grid. Taxpayers pay more;  
21 ratepayers pay more, and NIPSCO reaps the profit. It's a  
22 reverse Robin Hood effect of taking from the poor and  
23 giving to the rich. The plan is contrary to the best  
24 interest of Indiana customers. It is a bad plan for the  
25 citizens of northwest Indiana and a big payday for NIPSCO.

1            Thank you for your time.

2 Q        Thank you, sir.

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**(WITNESS PAUL NORWINE EXCUSED)**

1 MR. REED: Your Honor, the Public next calls  
2 Mr. Dennis Rackers.

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4 **DENNIS RACKERS**, a witness appearing on behalf of the  
5 Public, having been first duly sworn,  
6 testified as follows:

7

8 **DIRECT EXAMINATION,**

9 **QUESTIONS BY MR. REED:**

10 Q Good evening, sir.

11 A Good evening to you.

12 Q Can I have you spell your last name for the record,  
13 please?

14 A Yes.

15 It's R-a-c-k-e-r-s.

16 Q Thank you, Mr. Rackers.

17 Before we begin, can you tell me whether or not  
18 you are a NIPSCO customer?

19 A I am.

20 Q I only ask, sir, because that's not indicated on your  
21 form, and with your permission, I'd like to circle that on  
22 your appearance sheet tonight.

23 A Certainly.

24 Q Also, sir, I notice on your appearance sheet tonight  
25 you say that you wish to both speak and present written

1 materials, but I don't have a copy of any written  
2 materials.

3           Do you have written materials that I will acquire  
4 at some later time tonight?

5 A       I can give them to you after my presentation.

6 Q       As long as we get them before we shut down tonight,  
7 that's fine.

8 A       How many copies do you need?

9 Q       Thank you very much, sir.

10           MR. REED: Your Honor, I have no further  
11 questions.

12           Mr. Rackers, the floor is yours.

13 A       Good evening, Chairman, Commissioners, distinguished  
14 guests, and all gathered here. Thank you also to the OUCC  
15 for hosting this hearing.

16           Let me start by introducing myself. I'm a  
17 husband and father to three adult daughters. My wife and I  
18 live in Crown Point, Indiana, and we have no viable  
19 alternative to NIPSCO electric service.

20           I'm a professional engineer. I've worked in the  
21 electric industry for more than four decades. I've also  
22 worked for four different electric utilities, and for each  
23 of those, I've managed fuel supply for electric generation.  
24 That's typically the largest single expense for producing  
25 electric power.

1 I'm here because I want NIPSCO to provide clean,  
2 reliable, low-cost electric service, and that's exactly the  
3 same for the vast majority of its more than 460,000  
4 electric customers. To that end, I believe that NIPSCO  
5 should be obligated to make the best use of its existing  
6 generation facilities. That best use is generating power  
7 to meet the electric demand of the customers that are  
8 paying for those facilities.

9 I respectfully request that the Commission deny  
10 this rate request and use its authority under Indiana Code  
11 to implement metrics and require testimony that will  
12 encourage NIPSCO to maximize the effectiveness of its  
13 generating facilities to mitigate ratepayer cost.

14 I was a NIPSCO employee for the better part of  
15 four years from September 2014 to May 2018. During that  
16 time, I was director of a team that managed fuel supply for  
17 the company's coal-fired generating fleet. NIPSCO spent as  
18 much as \$370 million annually on coal to fuel electric  
19 generation, and that spend was twice the cost of all its  
20 other generating expenses.

21 My team was responsible for acquiring fuel at the  
22 lowest cost reasonably possible, and I was very much aware  
23 of that obligation to -- my obligation to attest every  
24 three months that NIPSCO was meeting the requirement of  
25 Indiana Code 8-1-2-42(d).

1           During my employment, I often heard senior  
2 leaders at NIPSCO and NiSource, its parent company, speak  
3 to encourage customer value. Joe Hamrock, the customer  
4 [verbatim] CEO, said that our business starts and ends with  
5 customer value. Violet Sistovaris said that NIPSCO is a  
6 customers first company, and in his new role as NIPSCO's  
7 Senior VP of Regulatory, Legislative Affairs and Strategy,  
8 Mike Hooper now speaks of industry-leading customer value  
9 in his testimony for this rate case. Even the first  
10 sentence of NIPSCO's Code of Business Conduct encourages a  
11 commitment to deliver enhanced value for our customers, our  
12 communities, and our stakeholders.

13           Hearing these words and understanding the  
14 company's obligation under the Indiana Code I mentioned, I  
15 encouraged our team to find opportunities to reduce the  
16 cost of electric service for NIPSCO ratepayers, and we  
17 recommended those changes to NIPSCO management.

18           One of the first recommendations was changing the  
19 source of coal to fuel the Michigan City gen station.  
20 Multiple evaluations consistently showed that this fuel  
21 change would save customers about \$5 million annually. The  
22 first of those evaluations was completed in March of 2015,  
23 but only in recent months has NIPSCO started efforts to  
24 capture this savings for its customers. That's nearly four  
25 years of delay and \$20 million of lost customer benefit.

1           As we explored other opportunities for customer  
2 savings, we learned that annual coal handling costs at the  
3 plants had increased by \$9 million or about 75 percent over  
4 the five years ending 2016. I was surprised to learn that  
5 my managers wouldn't even consider the issue. I could only  
6 surmise that the reason was their mistaken understanding  
7 that coal handling was a pass-through cost to customers  
8 under NIPSCO's fuel tracker.

9           Another time, my team suggested a change in an  
10 offer price to the MISO wholesale market that would result  
11 in greater utilization of the NIPSCO coal fleet. It would  
12 also reduce purchases of more expensive power from the  
13 wholesale market and save customers \$5 million annually as  
14 determined by a conservative internal estimate. My  
15 managers wanted to drop the idea because it would reduce  
16 shareholder earnings by \$1 million annually. Finally,  
17 after an eight-month delay, the change was eventually  
18 implemented in April 2018 due to efforts of another  
19 individual that is no longer with the company.

20           There are many additional opportunities to  
21 produce customer savings, but frankly, there is no existing  
22 will or incentive for NIPSCO management to pursue greater  
23 affordability for electric customers.

24           For NIPSCO, customer value seems to be primarily  
25 measured by its ranking under the J.D. Power Electric

1 Utility Residential Customer Satisfaction Index. The  
2 NIPSCO approach to value focuses on the customer experience  
3 plus reliability and service quality. These concepts align  
4 well with the J.D. Power suggestion that proactive  
5 communication is the key to higher index scores. In the  
6 J.D. Power Index, price gets short shrift as just one of  
7 the six measures of customer satisfaction. Despite  
8 NIPSCO's emphasis on the customer experience, it has not  
9 ranked better than 11th in its peer group of 15 other  
10 similar electric utilities in the last three years.

11           NIPSCO's main organizational purpose is  
12 shareholder earnings, and the company has always been able  
13 to produce higher earnings to satisfy shareholders through  
14 ever higher electric rates.

15           Typically, about 85 percent of NIPSCO's annual  
16 incentive or bonus payment is determined by its performance  
17 against targets for earnings per share. The J.D. Power  
18 ranking is used to determine the remaining 15 percent of  
19 the incentive payout.

20           Affordability for customers doesn't appear as a  
21 distinct target, but NIPSCO might attempt to argue that  
22 one-sixth of the J.D. Power 15 percent weight is  
23 affordability. That would have all of 2 and-a-half percent  
24 of the annual employee bonus determined by NIPSCO's  
25 customer affordability performance.

1           The performance initiative for employees in  
2 NIPSCO's Electric Operations Group are separate from and  
3 are not used to determine corporate incentive payments.  
4 These initiatives are tied to at least seven -- I'm  
5 sorry -- nine different internal metrics. I won't bore you  
6 with the acronym names, but none of them emphasize  
7 affordability, but they are explicit, widely-known goals  
8 and expectations within NIPSCO, and they are successful in  
9 guiding and aligning employee behavior and effort.

10           To be sure, in the lead-up to this current rate  
11 case, NIPSCO did start a customer value initiative that's  
12 intent on I quote establishing a culture of continuous  
13 improvement. The late start, just months before filing  
14 this rate case, is tacit admission that there has been no  
15 prior focus on continuous improvement, and there is no  
16 reason to think that this initiative is intended to  
17 maximize the effectiveness of its generating facilities for  
18 customer benefit.

19           In her statement supporting this rate request,  
20 Ms. Sistovaris said in her testimony just once, a single  
21 time, that customers expect reasonable cost. Never ever,  
22 not once, does she acknowledge their expectation of  
23 affordability. However, she does use the word reasonable  
24 six times to describe shareholder expectations.

25           As a result of NIPSCO's decisions in the past,

1 its ratepayers have invested over \$4 billion in electric  
2 production plant, and most of that is coal-fired  
3 generation. At least one billion of that investment has  
4 been made in just the last six years.

5           NIPSCO's proposal to retire its coal generation  
6 and replace it with renewable assets is analogous in many  
7 ways to replacing your trusted gasoline-fueled car with  
8 new -- with a new shiny electric car. Electric car sales  
9 are subsidized by taxpayers to reduce the purchase costs  
10 for mostly wealthy buyers. Likewise, wealthy investors  
11 typically build wind and solar generation and pocket the  
12 tax credits and subsidies.

13           Market penetration for electric cars is weak  
14 because of the high initial price, limited range, limited  
15 recharging locations, and time required to recharge.  
16 Market penetration for renewable energy is limited because  
17 it lacks the fuel security of traditional thermal  
18 generation; its output is not dependable, and energy  
19 storage is commercially unproven.

20           Most people are reluctant to give up the  
21 reliability and convenient fuel availability of a  
22 combustion engine car for an expensive, battery-powered  
23 electric car with a limited range, limited recharging  
24 opportunities, and limited battery life.

25           So in this same replacement decision analogy, why

1 should NIPSCO be allowed to send \$4 billion of reliable  
2 combustion-based generation to the junkyard and replace it  
3 at ratepayer expense with shiny new renewables that can  
4 only be used when the weather cooperates?

5           Further to this point, NIPSCO says that a  
6 portfolio of renewable generation would save its customers  
7 \$4 billion over the next 30 years. If that is indeed the  
8 case, why must customers suffer a rate increase to kick-  
9 start NIPSCO's transformation to its version of a green new  
10 deal?

11           Are NIPSCO's ratepayers wealthy enough to scrap  
12 \$4 billion in existing assets on a gamble that NIPSCO's  
13 green new deal will provide lower electric rates? I think  
14 the answer is emphatically no.

15           Have I told you yet that ratepayers also fund  
16 very generous compensation for NIPSCO executives and  
17 employees? The most recent report under the Dodd-Frank law  
18 shows that the CEO of NIPSCO's parent company was paid  
19 \$5.4 million and that the median NIPSCO employee pay was  
20 \$105,000. For context, that \$105,000 median compensation  
21 is \$32,000 more than U.S. Steel pays its employees at its  
22 Gary Works and around the country.

23           There are many NIPSCO customers that make less  
24 than \$32,000 per year, and those customers are struggling  
25 to pay NIPSCO's already high gas and electric bills.

1 Others here this evening will recommend equally  
2 valid reasons for denying the NIPSCO rate increase, and I  
3 could name many more myself, but my time is limited. Let  
4 me finish with this recommendation.

5 Before any new rate increase can even be  
6 considered, I respectfully submit that the company should  
7 first be required to demonstrate that it is making every  
8 reasonable effort to generate power to provide electric  
9 service to its retail customers at the lowest cost  
10 reasonably possible. That is NIPSCO's obligation under  
11 Indiana Code, and it is a requirement that NIPSCO has been  
12 ignoring.

13 I suggest three metrics and direct testimony from  
14 NIPSCO that should be reported publicly to the Commission.  
15 First, NIPSCO should report an annual comparison of monthly  
16 electric bills with all its J.D. Power peer group.

17 Second, NIPSCO should provide a quarterly report  
18 and annual summary of its day-ahead offer prices for its  
19 generating units compared to the day-ahead prices at MISO's  
20 nips.nips node.

21 Third, NIPSCO should provide a quarterly report  
22 and annual summary of the energy volume produced by NIPSCO  
23 generation compared to the energy volume consumed by its  
24 customers, and last, NIPSCO should provide direct quarterly  
25 testimony that describes the company's efforts to -- and I

1 quote from 8-1-2-42(d) -- generate power to provide  
2 electricity to its retail customers at the lowest cost  
3 reasonably possible.

4           These measures will help the Commission and  
5 ratepayers gauge how effectively NIPSCO is managing assets  
6 funded by its customers to mitigate electric costs for its  
7 customers. NIPSCO has a highly-skilled and very well-paid  
8 workforce that can produce much greater affordability for  
9 customers if they are given the right direction and  
10 incentives.

11           Thank you very much for your efforts on behalf of  
12 ratepayers and your consideration of my suggestions.

13           Good evening.

14           MR. REED: Thank you, sir.

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**(WITNESS DENNIS RACKERS EXCUSED)**

1           MR. REED: Your Honor, the Public next calls  
2 Ms. Susan M. Chiappetta.

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4 **SUSAN M. CHIAPPETTA**, a witness appearing on behalf of the  
5 Public, having been first duly sworn,  
6 testified as follows:

7

8 **DIRECT EXAMINATION,**

9           **QUESTIONS BY MR. REED:**

10 Q       Good evening, ma'am.

11           How are you?

12 A       Fine, thank you.

13 Q       Could I have you, please, spell your last name for the  
14 record? I'm not sure I read that correctly.

15 A       Yes.

16           You were very close.

17           C-h-i-a-p-p-e-t-t-a.

18 Q       Thank you very much, ma'am.

19           Please go ahead.

20 A       Thank you.

21           Good evening, everyone. It's an honor to be here  
22 to give my testimony.

23           My name is Sue Chiappetta, and I've lived in  
24 Merrillville, Indiana for almost 30 years. I'm a border  
25 crosser from Illinois. I worked for NIPSCO almost 25 years

1 in a wide range of positions, including Meter Reader,  
2 Technician at Schahfer generating station, and finally in  
3 Gary as a Facility Meterman. In August, I retired to start  
4 a new chapter in my life.

5           My mother's name was Gloria, and she is no longer  
6 with us. It seems like only yesterday that I was the  
7 advocate for her just like you all are for us, and I was  
8 the advocate when she was disabled and had to live on a  
9 fixed income. As an Illinois resident, she had one regular  
10 foe, and that was ComEd.

11           For those of you familiar with their background,  
12 they've made an art form of sticking it to their customers.  
13 Many of their cases are well known. For example, they  
14 raised rates to build nuclear power plants, and even though  
15 nuclear power plants and the power generated from those are  
16 supposed to be cleaner and less expensive, ComEd still  
17 requested a rate increase.

18           Is this beginning to sound a little familiar to  
19 you?

20           The biggest joke was back in 2016 when ComEd  
21 asked for rate hikes to disassemble three of those same  
22 plants. Wait. Customers paid additional money to build  
23 them. We had rate hikes to pay more to run them, and now  
24 customers have been asked to pay higher rates to tear those  
25 plants down. ComEd even asked for -- requested a rate hike

1 to cover its own capital investments. Fortunately, due to  
2 the help of consumer groups and the protest of ratepayers  
3 themselves, quite a few of these increases get overturned  
4 in the courts even though it can take many, many years, and  
5 the ratepayers have to suffer with the higher costs.

6           So what does this have to do with us, you say?  
7 We're a different state. We're a different utility  
8 company.

9           In 2018, I found myself joining thousands of  
10 others in this state that are now on fixed or low incomes.  
11 We are facing the possibility of a substantial rate hike of  
12 almost 12 percent by NIPSCO, northwest Indiana's premier  
13 energy company and a Forbes 500 entity, and here's where I  
14 begin to wonder whether NIPSCO has decided to emulate its  
15 neighbor to the west.

16           NIPSCO will have all of its generating stations  
17 closed by 2028, even possibly as early as 2023, if that  
18 plan goes through. That's definitely during my lifetime  
19 and most of ours or the rest of us. They plan to partner  
20 with three wind farm companies, not build their own. That  
21 would be known as a capital investment. Their solar farms  
22 are still scattered throughout the area, and you can find  
23 them driving around. The hydro dams are still operational,  
24 though very small, and basically what we can see is that  
25 NIPSCO is trimming the fat off of its operation. Less

1 expense, environmental safer energy, and it all sounds  
2 good, and so why the rate increase of almost 12 percent to  
3 its customers? Is this sounding more familiar?

4           I find myself thinking about a crazy bumper  
5 sticker I once read that said I can't believe I'm still  
6 protesting this stuff, and that's the clean version  
7 obviously, but NIPSCO is taking this game one step further.  
8 To appease their industrial customers, NIPSCO wants to  
9 offer them a 19 percent rate decrease to keep their  
10 business. The only way NIPSCO can accomplish this without  
11 lowering their profit margin is to charge its residential,  
12 business, and not-for-profit customers almost 12 percent  
13 more for the rates we pay and by raising the fixed rate  
14 fees.

15           Up until now, NIPSCO has been an integral part of  
16 the northwest Indiana community. Service and rates have  
17 been reasonable. They're very active in our community.  
18 They're environmentally conscientious. They were voted one  
19 of the best places to work and voted one of the most  
20 diverse. They've been good to and for the community  
21 celebrating over 100 years of service in northwest Indiana.

22           We want NIPSCO to continue the quality service  
23 this community has enjoyed, and we appreciate a cleaner  
24 environment, and thus, that's the reason why renewable  
25 energy sources and programs are subsidized already by you

1 and I, the taxpayer. I'm sure that a competent, well-  
2 organized company such as NIPSCO has the resources  
3 necessary to appease its industrial customers while  
4 honoring its service to its residential ratepayers.

5 I say to everyone that is behind me now, I urge  
6 everyone to contact their representatives and to get their  
7 voices heard as well as mine being heard by calling,  
8 tweeting, Facebooking, doing whatever you can, to let the  
9 folks who make these decisions know that we all vote no to  
10 this rate hike. Get involved so that the ComEds and  
11 NIPSCOs are held accountable for their actions.

12 Thank you for your time, and remember that when  
13 our voices are heard and they are, you know, raised  
14 together, they can be very powerful.

15 Thank you very much for this opportunity to  
16 speak.

17 Q Thank you, ma'am.

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**(WITNESS SUSAN M. CHIAPPETTA EXCUSED)**

1 THE COURT: Thank you, all.

2 We're going to take a quick break for about ten  
3 minutes; so if you could all meet back here it looks like  
4 at about 7:35.

5 Let's go off the record.

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15 (RECESS)

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25 (HEARING IN RECESS UNTIL 7:35 P.M., SAME DAY)

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weather [2] 34/8 46/4  
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weight [1] 43/22  
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Whoops [1] 22/12  
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52/24  
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wife [1] 39/17  
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word [1] 44/23  
words [1] 41/13  
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worker [1] 25/12  
workers [1] 35/22  
workforce [1] 48/8  
working [1] 29/23  
Works [1] 46/22  
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**W**

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**Z**

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# **ATTACHMENT KLO-3**

**CITY OF HOBART CITY COUNCIL**

**RESOLUTION 2019-06**

**RESOLUTION OPPOSING THE PROPOSED NIPSCO RATE HIKE**

**WHEREAS,** Northern Indiana Public Service Company (NIPSCO) has filed a request with the Indiana Utility Regulatory Commission that proposes an electric rate increase of approximately twelve (12%) percent for its residential and small business customers; and

**WHEREAS,** the Indiana Utility Regulatory Commission is currently seeking public comment regarding the proposed rate hike; and

**WHEREAS,** the ratepayers of Northern Indiana currently pay some of the highest electric rates in the State of Indiana, and

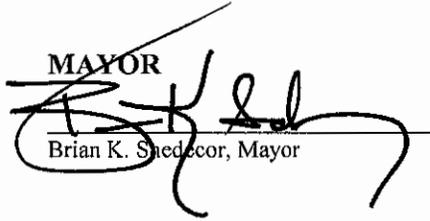
**WHEREAS,** such an excessive increase of twelve percent (12%) will place an additional financial burden on municipal budgets, small businesses and on residents, particularly low income residents and those living on fixed incomes.

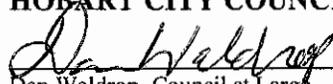
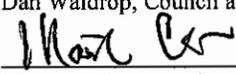
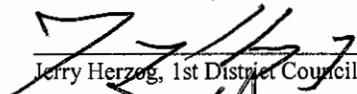
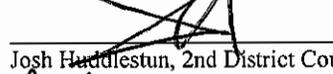
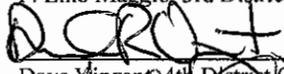
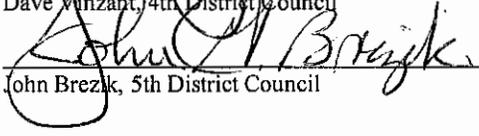
**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Hobart, Indiana as follows:

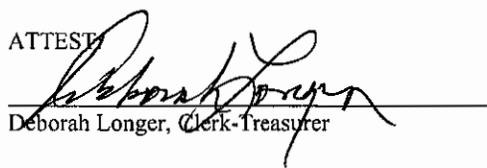
That the City Council of Hobart, Indiana opposes the twelve percent (12%) rate hike proposed by Northern Indiana Public Service Company for residential and small business customers and asks the IURC to vote against this request. We also direct the Clerk-Treasurer of the City of Hobart to forward a copy of this resolution to the Indiana Office of Utility Consumer Counselor via e-mail to [uccinfo@oucc.IN.gov](mailto:uccinfo@oucc.IN.gov) or by mail to Consumer Services Staff, Indiana Office of Utility Consumer Counselor, 115 W. Washington St, Ste 1500 South, Indianapolis, IN 46204

This resolution shall be in Full Force and Effect after passage by the Hobart City Common Council and approval by the Mayor.

Passed by the Common Council of the City of Hobart, Indiana, this 17<sup>th</sup> day of April, 2019

**MAYOR**  
  
Brian K. Sheddor, Mayor

**HOBART CITY COUNCIL**  
  
Dan Waldrop, Council at Large  
  
Matthew Claussen, Council at Large  
  
Jerry Herzog, 1st District Council  
  
Josh Huddleston, 2nd District Council  
  
P. Lino Maggio, 3rd District Council  
  
Dave Vinzant, 4th District Council  
  
John Brezik, 5th District Council

**ATTEST**  
  
Deborah Longer, Clerk-Treasurer

# **ATTACHMENT KLO-4**

**HIGHLAND TOWN COUNCIL  
Resolution No 2019-14**

**A RESOLUTION ARTICULATING THE "SENSE OF THE TOWN COUNCIL" REGARDING ITS OPPOSITION to the PROPOSED INCREASE IN ELECTRICAL RATES AND RELATED MATTERS REQUESTED BY NIPSCO in IURC Cause No. 45159**

**WHEREAS,** The Town of Highland was incorporated to provide certain public services to the residents of this community, all of whom are also residents of this state, and Nation, for whom their elected public servants commit their judgment and industry to promote the general welfare and common public good;

**WHEREAS,** The Highland Town Council, as the fiscal and legislative body of the Town of Highland, from time to time, encounters issues of public import and moment which warrant an expression from the elected representatives as part of the public discourse on the matter;

**WHEREAS,** Article 1, Section 31 of the Indiana Constitution provides that no law shall restrain any of the inhabitants of the State from assembling together in a peaceable manner, to consult for their common good, nor from instructing their representatives, nor from applying to the General Assembly for redress of grievances;

**WHEREAS,** The First Amendment of the United States Constitution provides that Congress shall make no law abridging the freedom of speech, or the right of the people to peaceably assemble, and to petition the government for redress of grievances;

**WHEREAS,** On October 31, 2018, the Northern Indiana Public Service Company (NIPSCO) filed a petition with the Indiana Utility Rate Commission, docketed as Cause No. 45159; and

**WHEREAS,** NIPSCO's rate case petition in Cause No. 45159, NIPSCO requested an approximately eleven and three quarters percent (11.75%) increase to residential electrical rates, while further proposing a reduction for Industrial customers of 18.9%;

**WHEREAS,** The eight municipal governments of East Chicago, Valparaiso, Dyer, Griffith, Highland, Munster, Schererville, and Winfield, have engaged London Witte, LLP to file testimony on their behalf to express opposition to the proposed rate increase, and "to offer recommendations that will benefit our members, residents of NIPSCO's electric service area, and NIPSCO regarding the proposed plan to shift to non-coal based generation and certain NIPSCO proposed rates to municipalities;

**WHEREAS,** The NIPSCO petition in Cause 45159 further seeks to

“reset” its current specific tariff for light emitting diode (LED) streetlights, and effectively eliminating it – a rate and tariff that the eight municipalities fought for and won just two years ago during the last major NIPSCO rate case; and

**WHEREAS, In Case No. 45159,** Ted Sommer, a partner with LWG CPA’s and ADVISORS, has filed testimony before the IURC that the proposed rate change for *our recently converted NIPSCO owned streetlights* would result in *increased costs* to the eight municipalities, as follows:

- 32.73% for streetlights with up to 50 watt LED replacement,
- 38.74% for streetlights with 70 to 90 watts LED replacement,
- 44.53% for streetlights with 91-115 watts LED replacement,
- 48.90% for streetlights with 170-210 watts LED replacement;

**WHEREAS,** Among the eight municipalities, there were 7,471 lights changed out to the LED replacement from before the end of 2016 through November 2017, and the end of the so-called fifty percent (50%) LED Retrofit socialization would cause the increases described in the forgoing paragraph;

**WHEREAS,** The ironic and disincentivizing effect of this is the very eight municipalities that took action, expended time and resources to maximize the technical value of the LED conversion program, have the NIPSCO LED retrofit program approved, and worked with NIPSCO in LED design and installation in their communities would suffer *these huge rate increases*, while communities that DID NOT invest in creating NIPSCO’s LED retrofit program that receive LED retrofits after December 31, 2019 will enjoy the 50% socialization in this tariff, thereby benefitting in a way and likely for a period of time that is overtly unfair and unjust; and

**WHEREAS,** The Town of Highland by and through its elected officers wishes to offer a *distinct, strong and clear* public expression on the public importance of this matter,

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Highland, Lake County, Indiana that it is the sense of the Town Council of Highland is as follows:

**Section 1.** That Highland Town Council, **strongly opposes** NIPSCO requested increase to electrical rates of approximately *eleven and three quarters percent (11.75%) increase to residential electrical rates*, while further proposing a *reduction* for Industrial customers of nearly nineteen percent (19%);

**Section 2.** The Town of Highland by and through its Town Council, further **strongly opposes** the NIPSCO request, so called “reset” of

its current specific tariff for LED streetlights, and effectively eliminating that tariff rate that the eight municipalities fought for and won just two years ago during the last major NIPSCO rate case;

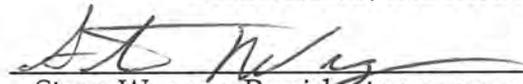
**Section 3.** The Town of Highland by and through its Town Council, still further offering its sense of the subject, respectfully supports the recommendations of Office of Utility Consumer Counselor (OUCC) efforts to minimize or avoid any NIPSCO rate increase;

**Section 4.** The Town of Highland by and through its Town Council, still further offering its sense of the subject, *with respect fully supports and embraces* the testimony of the Indiana Municipal Utility Group -- comprised of the municipalities of East Chicago, Valparaiso, Dyer, Griffith, Highland, Munster, Schererville, and Winfield,-- directly submitted by Ted Sommer, C.P.A. of LWG, CPAs and Advisors;

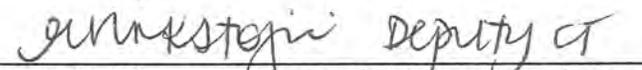
**Section 5.** That the Clerk-Treasurer be hereby further instructed to transmit and forward this resolution to the **Indiana Utility Regulatory Commission**, the **Office of Utility Consumer Counselor**, and such other persons as may be deemed to have an interest in this matter and to encourage those persons to evidence their strong desire to see the objects and purposes of this "*Sense of the Council Resolution*" achieved.

**DULY RESOLVED and ADOPTED** this 25<sup>th</sup> Day of March 2019 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

  
Steve Wagner, President (IC 36-5-2-10)

Attest:

  
Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)



# **ATTACHMENT KLO-5**

Sponsor: **Anthony Higgs**  
*Councilman, 3<sup>rd</sup> District*

RESOLUTION NO. \_R08

Resolution Opposing Large Increase in Utility Charges

**WHEREAS**, our local utility company Northern Indiana Public Service Company (NIPSCO) is seeking an increase in its utility rates of 12% and such an increase appears to be very excessive and will impose an unreasonable hardship on many of the residents of the City of Hammond, and.

**THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF HAMMOND** that the Common Council, on behalf of the citizens of the city, hereby opposes any such unreasonable increase in utility charges by NIPSCO..

ADOPTED by the Common Council of the City of Hammond, on the 11<sup>th</sup> day of March, 2019.

---

Robert A. Markovich, President /s/

Resolution Opposing Large Increase in Utility Charges (cont.)

ATTEST:

\_\_\_\_\_  
Robert J. Golec, City Clerk /s/

PRESENTED BY ME, the undersigned City Clerk of the City of Hammond, to the Mayor of said City for his approval on the 12<sup>th</sup> day of March, 2019

\_\_\_\_\_  
Robert J. Golec, City Clerk /s/

The foregoing Resolution No. R08 consisting of 2 pages, including this page approved by the Mayor on the 12<sup>th</sup> day of March, 2019.

\_\_\_\_\_  
THOMAS M. McDERMOTT, JR., MAYOR /s/  
City of Hammond, Indiana

ADOPTED by the Common Council on the 11<sup>th</sup> day of March, 2019, and approved by the Mayor on the 12<sup>th</sup> day of March, 2019.

\_\_\_\_\_  
Robert J. Golec, City Clerk /s/

# **ATTACHMENT KLO-6**

MINUTES OF THE COMMON COUNCIL

MARCH 11, 2019

The regular meeting of the Hammond Common Council of the City of Hammond, Lake County, Indiana was held on March 11, 2019 in the Hammond City Council Chambers.

Council President Robert A Markovich presided.

City Clerk Robert J. Golec facilitated.

PLEDGE OF ALLEGIANCE was recited by all.

Invocation by Councilman Higgs

ROLL CALL

PRESENT: Spitale, Venecz, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Markovich

ABSENT: None

TOTAL: 9

READING OF THE MINUTES

Councilman Spitale, supported by Councilman Emerson, moved to accept the minutes of March 11, 2019 and place on file. AYES: ALL

Councilman Woerpel, supported by Council Higgs, moved to approve the claims from March 5<sup>th</sup>, 2019 through March 6<sup>th</sup>, 2019. Claim #1214 through #1506, inclusive.

Councilman Woerpel, supported by Councilman Rakos, moved to amend in claim:

#1507	Indiana Department of Transportation	Engineer/Citywide	\$ 18,635.06
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ROLL CALL VOTE (amend in claim)

AYES: Spitale, Venecz, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Markovich

NAYS: None

ABSENT: None

Motion carried 9/0/0 CLAIMS AMENDED

ROLL CALL VOTE (claims as amended)

AYES: Spitale, Venecz, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Markovich

NAYS: None

ABSENT: None

Motion carried 9/0/0 CLAIMS APPROVED  
(as amended)

PUBLIC HEARINGS

None

*Prepared by  
Robert J. Golec  
Hammond City Clerk*

MINUTES OF THE COMMON COUNCIL cont.MARCH 11, 2019

## COMMUNICATIONS

Councilman Higgs- I would like to send my condolences to the family of the United States Marshall that died in Rockford Illinois.

Councilman Higgs- Read a letter addressing the property at 907 Ames Street, for tree removal that will be completed after the Harrison Park Project.

Councilman Higgs- A community meeting will be held on March 19, 2019 at Douglas Point.

Councilman Higgs- A meeting is being held tonight on the rate increase from NIPSCO.

## COMMITTEE REPORTS

Council as Whole Committee- Councilman Woerpel- Brought out 18-33 and 19-04

Community & Crime Watch Committee - Councilwoman Venecz - Announced upcoming meetings:

Fri., Mar. 15; Community Watch will meet Silver Birch 2 p.m.

Tues., Mar. 19; East Hammond Pullman Crime Watch Ophelia Steen 6:30 p.m.

Thur., Mar. 21; Hessville Crime Watch Jean Shepard 7 p.m.

Wed., Mar. 20; Lafayette Neighborhood Watch Lafayette School 6:30 p.m.

Thur., Mar. 21; South Hammond Crime Watch Hammond Housing Authority 7:00 p.m.

Thur., Mar. 14; Whiting Robertsdale Crime Watch Calumet College 6:30 p.m.

Council President Markovich- Announced 2019 Hammond Common Council committee list.

Council President Markovich- City Plan Commission, I made an appointment but that person refused.

Council President Markovich- Any volunteers to be on City Plan Commission?

Councilman Higgs- The meetings are normally during the day, am I correct?

Council President Markovich- I am not sure.

Councilman Torres- The meetings are usually at evening.

Councilman Higgs- I will discuss it with you out after the meeting.

Councilman Woerpel, supported by Council Higgs, moved to accept the committee assignments.

MINUTES OF THE COMMON COUNCIL cont.MARCH 11, 2019

## COMMITTEE REPORTS cont.

## ROLL CALL VOTE (accept committee assignments)

AYES: Spitale, Venecz, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Markovich

NAYS: None

ABSENT: None

Motion carried

9/0/0

MOTION CARRIED

ORDINANCE 3<sup>RD</sup> READING - FINAL PASSAGE

18-33 An Ordinance of the City of Hammond, Indiana Concerning Removal of the City of Hammond Water Works Department from the Jurisdiction of the Indiana Utility Regulatory Commission.

Councilman Woerpel, supported by Councilman Higgs, moved for passage.

Councilman Woerpel - This Ordinance was moved from 1<sup>st</sup> and 2<sup>nd</sup> reading on December 12, 2018, two public hearings were scheduled. One for February 21<sup>st</sup> which nine people showed up and the other hearing on March 6, at Sportsplex which two people showed up and a third one came. We are trying to save money by opting out of the IURC out of the 400 communities in Indiana, there are 360 that don't belong to the IURC.

Councilman Higgs- My concern was the high interest rates that were actually attributed to the longevity of the process dealing with them and it really cost the city astronomical dollars in regards to interest rates and prolonged the process. IDEM has a responsibility that it needs to do. We have a 5 member board that the Mayor appoints to govern the Water Department. My Concern is saving the City, money so I would hope that we opt out of the IURC.

## ROLL CALL VOTE (passage)

AYES: Spitale, Venecz, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Markovich

NAYS: None

ABSENT: None

Motion carried

9/0/0

ORDINANCE NO. 9433 PASSED

19-04 An Ordinance Reclassifying Certain Lands in the City of Hammond for Zoning Purpose and Amending Ordinance No.8514 (An Ordinance Establishing a Zoning Plan for the City of Hammond including the Regulations and Maps to Administer the Zoning Plan in Order to Provide for Orderly Growth and Development within the City all in Accordance with the Comprehensive/Land use Plan as Amended) for Property Commonly known as 712 Highland Street, Hammond, IN 46320

Councilman Higgs, supported by Councilman Spitale, moved for passage.

Councilman Higgs- I want to thank Swanel for being a great partner with the City of Hammond, and always giving back to the Community as well.

*Prepared by  
Robert J. Golec  
Hammond City Clerk*

MINUTES OF THE COMMON COUNCIL cont.MARCH 11, 2019ORDINANCE 3<sup>RD</sup> READING - FINAL PASSAGE cont.

Mayor McDermott- I want to Thank the CEO, Ed Roviario, for starting a business in the 3<sup>rd</sup> District and reinvesting in the 3<sup>rd</sup> District, bringing more jobs and investments to the community. Swanel is showing that they are investing in our City and I think that is a real positive thing so I want to congratulate Swanel and the 3<sup>rd</sup> District, we appreciate it.

## ROLL CALL VOTE (passage)

AYES: Spitale, Venecz, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Markovich

NAYS: None

ABSENT: None

Motion carried

9/0/0

ORDINANCE NO. 9434 PASSED

## INTRODUCTION OF ORDINANCES

19-07 An Ordinance to Appropriate Funds in the Hotel/Motel Innkeepers Tax Fund for the Hammond Park Department.

Councilwoman Venecz, supported by Councilman Spitale, moved the proposed Ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading and referred it to the Finance Committee with a public hearing on April 8, 2019. AYES: ALL

Councilwoman Venecz- This Ordinance is to appropriate funding from the Innkeepers tax balance a total of \$16,112.70 appropriated to the hotel/motel fund for advertisement for the Festival of the Lakes.

19-08 An Ordinance to Appropriate Funds from the Operating Balance for the Hammond Park Department

Councilwoman Venecz, supported by Councilman Spitale, moved the proposed Ordinance to 1<sup>st</sup> and 2<sup>nd</sup> reading and referred it to the Finance Committee with a public hearing on April 8, 2019. AYES: ALL

Councilwoman Venecz- This is appropriating \$ 62,000 from the Operating Balance to Special Events, and also Key and Cleanup Refunds within the Park Department. Special Events is \$ 55,000 that is for the summer Recreation Programs, Cinco De Mayo, Halloween, Valentines Day, events of that nature and \$ 7,000, is for Key and Cleanup Refunds. AYES: ALL

MINUTES OF THE COMMON COUNCIL cont.MARCH 11, 2019

## RESOLUTIONS

Councilman Higgs, supported by Councilman Spitale, made a motion that the rules be suspended to introduce 19R-08  
 AYES: ALL

## ROLL CALL VOTE (passage)

AYES: Spitale, Venecz, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Markovich

NAYS: None

ABSENT: None

Motion carried

9/0/0

RULES SUSPENDED

19R-08 Resolution Opposing Large Increase in Utility Charges

Councilman Higgs, supported by Councilman Rakos, moved for adoption.

Councilman Higgs asked City Clerk Golec to read the Resolution in its entirety.

City Clerk Golec read 19R-08 in its entirety.

## ROLL CALL VOTE (adoption)

AYES: Spitale, Venecz, Kalwinski, Torres, Higgs, Emerson, Woerpel, Rakos, Markovich

NAYS: None

ABSENT: None

Motion carried

9/0/0

RESOLUTION NO. R08 ADOPTED

## NEW AND UNFINISHED BUSINESS

Council President Markovich- Just for information on the Resolution passed on NIPSCO, they have a meeting going on right across the street. You might want to go over and see how these rates are going to go.

Councilwoman Venecz, I just wanted to congratulate the Hammond High Basketball Team for a fabulous job this weekend. I have to admit I don't follow highschool sports but this was too exciting not to follow. I was able to watch the game Saturday morning and boy it was sure fun to watch them kick butt by 20 points. My husband graduated from Hammond Tech, back in the day, Tech had a horrible basketball team it was always Hammond High, he always commented on he knew Hammond High's Fight song better then he did his own school. He was singing the Hammond High Fight song to those basketball games this weekend. So Congratulations again.

Council President Markovich- Well I was at the games this weekend me and Paul Walker, he took plenty of pictures when they won the Sectional. They beat Griffith, in the first game it's nothing like being there instead of watching it on TV. The only problem is watching on tv there is no one in the stands, the kids would like to see bodies in the stands. I beg to differ I went to Hammond Tech, we won the Sectional in 67, and 68 where I was a member of the team and we beat Hammond High.

*Prepared by  
 Robert J. Golec  
 Hammond City Clerk*

MINUTES OF THE COMMON COUNCIL cont.

MARCH 11, 2019

RESOLUTIONS cont.

Councilman Higgs- I made a second request that graffiti be removed from 912 Drackert Street, I am asking that Gary Gleason send me a memo letting me know the graffiti was removed. I also gave him a name and number of the Property owner.

PUBLIC EXPRESSION

George Stoya- Once again I am asking to get an official action whether this Council would consider hiring a Local Utility Consumer Counselors position or office.

Alvin Cheeks- Swanel, has done a great job in the community, just want to thank them for all they do. I also would like to thank the Mayor for stopping the politics that were in the Hammond Police Department.

Anne Herbert- I make it no secret that I am a stage 4 Breast Cancer Survivor, and I welcome anybody to give my testimony. The lie you told about me had nothing to do with Cancer and I think you owe me an apology.

Councilman Higgs, supported by Councilman Spitale, moved to adjourn.

AYES: ALL

\_\_\_\_\_  
Robert A. Markovich, President  
Hammond Common Council

ATTEST:

\_\_\_\_\_  
Robert J. Golec, City Clerk

Time: 6:40 p.m.  
dw

Minutes approved at the Common Council meeting of March 25, 2019.

*Prepared by  
Robert J. Golec  
Hammond City Clerk*

# **ATTACHMENT KLO-7**

Q-B

COUNCIL PENDING RESOLUTION NO. 2019-04  
RESOLUTION NO. \_\_\_\_\_  
AS AMENDED \_\_\_\_\_  
CERTIFICATION DATE \_\_\_\_\_  
CERTIFIED BY \_\_\_\_\_  
FAVORABLY \_\_\_\_\_  
UNFAVORABLY \_\_\_\_\_

**RESOLUTION**

**A RESOLUTION BY THE GARY COMMON COUNCIL  
OPPOSING PROPOSED NIPSCO RATE HIKE**

**WHEREAS**, Northern Indiana Public Service Company (NIPSCO) has recently proposed an electric rate increase of approximately Twelve Percent (12%) for its resident and small business customers to the Indiana Utility Regulatory Commission; and

**WHEREAS**, the Indiana Utility Regulatory Commission is currently seeking public comments regarding the proposed rate hike; and

**WHEREAS**, such an excessive increase of Twelve Percent (12%) will place additional financial burdens on municipal budgets, local businesses, and on residents, particularly low-income residents and those living on fixed incomes.

**THEREFORE, BE IT RESOLVED BY THE GARY COMMON COUNCIL:**

That this Council of the City of Gary, opposes the proposed Twelve Percent (12%) increase to NIPSCO rates.

**PASSED AND ADOPTED** by the Common Council of the City of Gary, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
PRESIDENT, GARY COMMON COUNCIL

ATTEST:

\_\_\_\_\_  
CITY CLERK

**PRESENTED** by me to the Mayor for her approval and signature this \_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
CITY CLERK

APPROVED and SIGNED by me this \_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
MAYOR, CITY OF GARY, INDIANA

Sponsored by: Herbert Smith Jr. and Rebecca Wyatt, Members, Gary, Common Council

- 1<sup>st</sup> District \_\_\_\_\_
- 2<sup>nd</sup> District \_\_\_\_\_
- 3<sup>rd</sup> District \_\_\_\_\_
- 4<sup>th</sup> District \_\_\_\_\_
- 5<sup>th</sup> District \_\_\_\_\_
- 6<sup>th</sup> District \_\_\_\_\_
- At Large \_\_\_\_\_
- At Large \_\_\_\_\_
- At Large \_\_\_\_\_

Prepared by: Rinzer Williams, III, Legal Advisor for Gary Common Council

COMMITTEE ASSIGNMENT _____	Reported-Out/Date _____
1 <sup>st</sup> Reading/Date _____	Committee Hearing/Date _____
2 <sup>nd</sup> Reading/Date _____	Public Hearing/Date _____
3 <sup>rd</sup> Reading/Date _____	Final Reading/Date _____
Passed/Date _____	Deferred/Date _____
Tabled/Date _____	Override/Date _____
Publication Date _____	Adopted/Date _____
Veto Date _____	Community Hearing Date _____
	Pocket Veto Date _____

# **ATTACHMENT KLO-8**



# WELCOME TO THE GARY COMMON COUNCIL

(<http://www.garycommoncouncil.org>)

**Gary Common Council**

401 Broadway, Suite 209

Gary, Indiana 46402

**Phone:** 219-881-1315

**Fax:** 219-881-1339 or 219-885-5505

[Current Agenda \(/Legislation/CurrentAgenda.aspx\)](#)    [Meeting Minutes \(/Legislation/MeetingM](#)

## Agenda Votes

C.P.R. 2019-04    A RESOLUTION BY THE GARY COMMON COUNCIL OPPOSING  
PROPOSED NIPSCO RATE HIKE

### Voting Record

Mary Brown	Yes
Carolyn D. Rogers	Yes
Michael Protho	Yes
Ronald Brewer	Yes
Linda Barnes-Caldwell	Yes
Rebecca L. Wyatt	Yes
LaVetta Sparks-Wade	Yes
Herbert Smith, Jr.	Yes
Michael A. Brown	Yes

[Return to 3/5/2019 \(MeetingAgenda.aspx?meetingID=571\)](#)

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Attachment KLO-8



(/)

# **ATTACHMENT KLO-9**

## STATE OF INDIANA

## INDIANA UTILITY REGULATORY COMMISSION

PETITION OF NORTHERN INDIANA PUBLIC )  
SERVICE COMPANY LLC PURSUANT TO )  
INDIANA CODE SECTIONS 8-1-2-42.7, )  
8-1-2-61, AND INDIANA CODE 8-1-2.5-6 )  
FOR (1) AUTHORITY TO MODIFY ITS RATES )  
AND CHARGES FOR ELECTRIC UTILITY ) CAUSE NO.  
SERVICE THROUGH A PHASE IN OF RATES; ) 45159  
(2) APPROVAL OF NEW SCHEDULES OF RATES )  
AND CHARGES, GENERAL RULES AND )  
REGULATIONS, AND RIDERS; (3) APPROVAL )  
OF REVISED COMMON AND ELECTRIC )  
DEPRECIATION RATES APPLICABLE TO ITS )  
ELECTRIC PLANT IN SERVICE; (4) APPROVAL )  
OF NECESSARY AND APPROPRIATE ACCOUNTING )  
RELIEF, AND (5) APPROVAL OF A NEW )  
SERVICE STRUCTURE FOR INDUSTRIAL RATES )

TRANSCRIPT OF FIELD HEARING

Field Hearing continued to be heard on March 11, 2019 at 7:35 P.M. (Local Time) at the Hammond High School Auditorium, 5926 Calumet Avenue, Hammond, Indiana before Chairman James F. Huston, Commissioner Sarah E. Freeman, Commissioner Stefanie Krevda, Commissioner David E. Ziegner and Administrative Law Judge Brad J. Pope (Presiding)

Reporter: Amy L. Tokash

Pages: FH-B-1 to FH-B-64

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ON BEHALF OF THE PUBLIC:

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Jose Torres:. . . . . FH-B- 8 to FH-B- 9  
Hannah Kilbourne:. . . . . .FH-B-10 to FH-B-11  
Tracy Ferrell:. . . . . FH-B-12 to FH-B-13  
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Nicholas Vasil:. . . . . .FH-B-21 to FH-B-23  
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1 Hammond, Indiana  
2 March 11, 2019  
3 7:35 P.M. (Local Time)

4 THE COURT: We'll now go back on the record.  
5 If you could please silence your electric  
6 devices. Thank you.

7 Mr. Reed?

8 MR. REED: Thank you, Your Honor.

9 The Public now calls Ms. Claudia Ontiveros.

10

11 **CLAUDIA ONTIVEROS**, a witness appearing on behalf of the  
12 Public, having been first duly sworn,  
13 testified as follows:

14

15 **DIRECT EXAMINATION,**

16 **QUESTIONS BY MR. REED:**

17 Q Good evening, ma'am.

18 How are you tonight?

19 A I'm fine. Good evening.

20 Q Ma'am, could you please spell your last name for the  
21 record?

22 A O-n-t-i-v-e-r-o-s.

23 Q Thank you very much, ma'am.

24 The floor is yours.

25 A Okay.

1           First of all, I would like to say thank you very  
2 much for having this hearing this evening, and I would like  
3 to thank everybody who has spoken before me so eloquently  
4 in regards to standing up for their communities and the  
5 consumers of northwest Indiana and especially people on  
6 fixed incomes.

7           As I approach that part of my life being on a  
8 fixed income, I would just like to say that NIPSCO is a  
9 public utility and should be fair and just for the public  
10 consumer.

11           From my own experience, I am in a situation where  
12 NIPSCO, in my opinion, has some policies on their books  
13 that are not fair, and they are unjust for the consumer in  
14 regards to their meter ratings.

15           I -- my husband and I purchased a summer home and  
16 built a garage and put a meter on the box -- on the house.  
17 That meter costs \$12.00 a month for the electric meter.

18           We then put a gas meter on the box -- on the  
19 house. That meter costs \$30.00 a month, and when I  
20 questioned NIPSCO, they said that that's the commercial  
21 rate. I'm like it's not a commercial building; it's my  
22 garage.

23           So they came out to verify that this was not a  
24 commercial building, and what happened was they raised my  
25 electric rate to the commercial rate by stating that it's a

1 non-residential and nobody lives in the garage, and,  
2 therefore, it goes as a non-residential rate.

3           This last hike that they put in raised the gas  
4 meter box to \$53.00 a month, so it's over \$600.00 a month  
5 [sic] for the meter that's delivering zero therms because  
6 we don't live there yet, and no one is using it, and now  
7 this next rate is going to increase my meter box for the  
8 electric.

9           At this point, I don't find this to be very fair  
10 and just for the consumer when now they're going to raise  
11 us again and give big corporate interests a 19 percent  
12 decrease.

13           I'm over \$1,000 just to have a meter on my garage  
14 a year between the gas and electric meter, and that's going  
15 to go up again if this goes through, and there is -- as I  
16 approach a fixed income, this is untenable for us. As a  
17 matter of fact, we will not have a heated garage. The  
18 meter has to come off; I can't afford it.

19           So I don't find this to be a very just cause as  
20 they continue to charge me commercial rates for a non --  
21 for a residential housing, and when I asked, they said,  
22 well, if you have two boxes on the same property, the  
23 second one is commercial. So I presented them with my two  
24 property tax bills on my two parcels. They still will not  
25 bring it down.

1           So to me, I find that NIPSCO wanting to increase  
2 our rates again, there's something -- as one of the  
3 gentlemen said earlier -- that I have a lot of concerns  
4 about their motives and how they're treating their  
5 consumers, and I'm sure that if this is happening to me,  
6 it's happening to a lot of other Hoosiers across the State,  
7 and I say enough is enough, and I oppose this rate increase  
8 completely. Corporations have already gotten their tax  
9 breaks, and now they're getting their proposed tax cuts,  
10 and it all goes back on the working person and the little  
11 guy.

12           I just want to thank you for your time this  
13 evening and for taking the time to listen to us.

14           Thank you.

15           MR. REED: Thank you, ma'am.

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**(WITNESS CLAUDIA ONTIVEROS EXCUSED)**

1           MR. REED: Your Honor, the Public next calls  
2 Pastor Ericka Kilbourne.

3

4 **ERICKA KILBOURNE**, a witness appearing on behalf of the  
5                           Public, having been first duly sworn,  
6                           testified as follows:

7

8 **DIRECT EXAMINATION,**

9           **QUESTIONS BY MR. REED:**

10 Q       Good evening, ma'am.

11 A       Good evening.

12 Q       Could you please spell your last name for the record?

13 A       Kilbourne, K-i-l-b-o-u-r-n-e.

14 Q       Thank you, ma'am.

15           Please go ahead.

16 A       I am the Reverend Dr. Ericka Kilbourne, and I'm the  
17 Pastor of the First Presbyterian Church of Michigan City,  
18 Indiana.

19           When I participated in the Wabash Pastoral  
20 Leadership Program, we learned that the research done by  
21 the Lilly Endowment here in Indiana proved that flourishing  
22 congregations make for flourishing communities. I see  
23 someone shaking his head.

24           This 12 percent rate hike would have a severe and  
25 drastic effect on our flourishing congregation in Michigan

1 City, and we would not be alone because there are many  
2 other flourishing houses of worship much like our own in  
3 Michigan City.

4           This 12 percent rate hike would risk our ability  
5 to flourish. We have been called by God as a congregation  
6 to reflect God's love and service to our community. Our  
7 incredibly frugal budget is already stretched. Within our  
8 budget, we use our funds to help our neighbors with their  
9 NIPSCO bills.

10           In my eight years of serving at First  
11 Presbyterian in Michigan City, I now only accept phone  
12 calls asking for help with NIPSCO bills, and last year, we  
13 spent over \$1,000 to help neighbors with their energy  
14 bills.

15           We also have homeless women who have -- we house  
16 homeless women on Sunday nights and homeless men on Monday  
17 and Wednesday nights, and we feed lunch to those who are  
18 hungry on Saturdays.

19           This rate hike would simply put our congregation  
20 into a situation where we could no longer meet and provide  
21 these essential needs for our neighbors.

22           As a pastor, I live on a simple budget. Our  
23 family has dedicated itself to being loud tonight; I'm sure  
24 everyone's heard them, but we've also dedicated ourselves  
25 to serving the community. With this rate hike, we simply

1 might not be able to afford to live here in the region  
2 anymore, and we might have to seek other places.

3           Please consider the ripple effect of this rate  
4 hike, the ripple effect that it would have in our  
5 community.

6           Thank you.

7           MR. REED: Thank you, ma'am.

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**(WITNESS ERICKA KILBOURNE EXCUSED)**

1 MR. REED: Your Honor, the Public next calls  
2 Mr. Jose Torres.

3

4 **JOSE TORRES**, a witness appearing on behalf of the Public,  
5 having been first duly sworn, testified as  
6 follows:

7

8 **DIRECT EXAMINATION,**

9 **QUESTIONS BY MR. REED:**

10 A Good evening.

11 Q Good evening, sir.

12 Can I have you spell your last name for the  
13 record, please?

14 A T-o-r-r-e-s.

15 Q Thank you, sir.

16 The floor is yours.

17 A Good evening, everyone. I know you don't want to be  
18 here as much as we don't want to be here; I'm going to make  
19 it short and sweet.

20 I'm not going to mention the cities that NIPSCO  
21 services; I'm going to mention everyone that's in this  
22 room.

23 We worked hard for our -- to earn our living  
24 within our means. We've endured hardships during our time.  
25 This is another hardship that we don't need.

1           We need relief because one day you're going to be  
2 on this side of the podium.

3           That's all I wanted to say.

4           Thank you very much.

5           MR. REED: Thank you very much, sir.

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**(WITNESS JOSE TORRES EXCUSED)**

1 MR. REED: Your Honor, the Public next calls  
2 Miss Hannah Kilbourne.

3

4 **HANNAH KILBOURNE**, a witness appearing on behalf of the  
5 Public, having been first duly sworn,  
6 testified as follows:

7

8 **DIRECT EXAMINATION,**

9 **QUESTIONS BY MR. REED:**

10 Q Good evening, ma'am.

11 How are you?

12 A Good.

13 Q Would you please spell your last name for me?

14 A K-i-l-b-o-u-r-n-e.

15 Q Thank you very much, Miss Kilbourne.

16 The floor is yours. Go ahead.

17 A My name is Hannah Kilbourne. I am nine years old and  
18 in third grade.

19 I want to be an environmental engineer when I  
20 grow up. I would like to come back to the region to work  
21 and to contribute to the community, but a 12 percent rate  
22 hike would simply make it too hard for a young person just  
23 starting out.

24 One of my favorite hobbies is art. I love to  
25 draw beauty, especially the beauty of the earth. I love to

1 create art. My family lives on my mother's pastor salary,  
2 and they soon will find it difficult to pay their NIPSCO  
3 bill if the rates go up 12 percent. I need light in my  
4 home when I sit down to dream about my future and draw.

5 Please reconsider this hike for the sake of  
6 brightening the future for young people like me.

7 MR. REED: Thank you very much, ma'am.

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(WITNESS HANNAH KILBOURNE EXCUSED)

1 MR. REED: Your Honor, the Public next calls  
2 Tracy Ferrell.

3

4 **TRACY FERRELL**, a witness appearing on behalf of the Public,  
5 having been first duly sworn, testified as  
6 follows:

7

8 **DIRECT EXAMINATION,**

9 **QUESTIONS BY MR. REED:**

10 Q Good evening, sir.

11 A Good evening.

12 Q Sir, can I have you spell your last name, please?

13 A Ferrell, F-e-r-r-e-l-l.

14 Q Mr. Ferrell, please go ahead.

15 A Thank you.

16 Well, I got the bad draw tonight, didn't I? I  
17 have to follow that act.

18 I've submitted my written statement; I'm going to  
19 talk from the heart.

20 I retired from the Laborer's Local 41 here just  
21 south of here in Hammond -- in Munster; it was in Hammond  
22 when I was there, and I've got a pretty fortunate life,  
23 so -- I've got a beautiful wife, works a great career; we  
24 can afford our bills.

25 Since I've retired, I've taken over a role on my

1 church's board, and I am the President of the First  
2 Unitarian Church in Hobart, and similar to the lady that  
3 came before me, she sees a hard time with that, especially  
4 with the rate hikes. You know, we spend a lot of our  
5 budget helping people afford their bills. We stretch our  
6 budget very tightly, also.

7           So I just want to reach out to the board here and  
8 ask that we start thinking with our hearts a little more  
9 than our heads sometimes. Let's pay attention to the  
10 people that are out there suffering, that are struggling to  
11 make their bills, choosing whether or not they have to pay  
12 their -- for their medicines this month or their water bill  
13 to keep their water on since water bills have gone up in  
14 northwest Indiana all over the place.

15           So I would appeal to the board to turn this down,  
16 to deny this proposal, and ask for something that's more  
17 feasible, something that is -- if there has to be a rate  
18 increase that it's fair, that it is just, that it is not  
19 just for the little man, that it's across the board.

20           Thank you.

21           MR. REED: Thank you very much, sir.

22

23

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25

(WITNESS TRACY FERRELL EXCUSED)

1 MR. REED: Your Honor, the Public next calls  
2 Mr. James Taylor.

3

4 **JAMES TAYLOR**, a witness appearing on behalf of the Public,  
5 having been first duly sworn, testified as  
6 follows:

7

8 **DIRECT EXAMINATION,**

9 **QUESTIONS BY MR. REED:**

10 Q Mr. Taylor, good evening, sir.

11 A Good evening.

12 Q Is that T-a-y-l-o-r?

13 A That is correct.

14 Q Very good, sir.

15 Please go ahead.

16 A All right. Well, thank you for being here on a Monday  
17 night. I tried to walk down as quickly as possible to make  
18 it move along.

19 I am a Senior Fellow. I oversee energy and  
20 environmental policy for The Heartland Institute. The  
21 Heartland Institute is a non-partisan, non-profit, public  
22 policy organization, and in cases like this, we are looking  
23 out for ratepayers, and in this particular case, we're very  
24 concerned that the proposal by NIPSCO to close down  
25 perfectly operational coal power plants that consumers,

1 captive customers, have already paid for that have provided  
2 below national average electricity prices for years and  
3 replaced them with expensive, unreliable renewable power,  
4 primarily wind power, is going to put consumers on the hook  
5 in a way that cannot be fixed.

6           NIPSCO frequently in the press I've seen has  
7 bragged about its prices being below the national average,  
8 and they're right; it's true. Hoosiers have benefited from  
9 that, and the reason for that is that the lion's share of  
10 power produced by NIPSCO is coal power. Indeed it's not  
11 just the case here in Indiana, around the country. If it  
12 ain't broke, don't fix it.

13           There are 18 states right now where coal power  
14 provides the lion's share of electricity. 15 of those 18  
15 have prices below the national average. The only three  
16 where prices are not below the national average is  
17 precisely because of a strong wind power presence. Kansas,  
18 for example, has the second highest wind power percentage  
19 in the country; they're one of those three states that's  
20 not below national average. Coal is -- coal provides  
21 1 percent more power than wind power there.

22           The other two states where coal provides the  
23 lion's share and yet prices are above the national average  
24 are Wisconsin and Michigan. In those states, Wisconsin and  
25 Michigan are two of the five states with the fastest rising

1 percentage of wind power. If you knock wind power out of  
2 the equation, all 15 of the 15 states where coal power  
3 provides the lion's share of electricity, prices are below  
4 the national average, as is the case in Indiana, as is the  
5 case with NIPSCO and coal power. If it ain't broke, don't  
6 fix it. Where is the pressing need to shut down these  
7 power plants that captive customers have already paid for  
8 that are performing perfectly well and that are providing  
9 below national average electricity prices? Where's the  
10 justification? Where's the rush?

11           It's important to note that electric utilities  
12 have a self interest in plans similar to what NIPSCO is  
13 doing. Xcel is doing this in Colorado and elsewhere. In  
14 fact, I was out there advocating for ratepayers in Colorado  
15 this past summer. Xcel proposed to shut down its perfectly  
16 operational coal power plants and replace them with wind  
17 power.

18           What's the cost of the facilities? They were  
19 building out \$2 billion of wind and solar power. At a  
20 10 percent rate of return, they were guaranteeing  
21 themselves -- well, not entirely themselves. Some of the  
22 new facilities would be built by others, but Xcel would  
23 build the lion's share. The people building those wind and  
24 solar power facilities are guaranteed \$200 million in  
25 profits created out of thin air off the backs of Colorado

1 ratepayers.

2           It's not just in Colorado. I looked through  
3 NIPSCO's proposal. Perhaps I didn't see it in the several  
4 hundred pages -- although I did look as closely as time  
5 permitted -- I didn't see who's going to be building the  
6 new wind and solar power, primarily wind power, that they  
7 proposed, but I would be very surprised if NIPSCO isn't  
8 going to build much of that and then reap the profits from  
9 doing so. That's their incentive; this is what's happening  
10 throughout the country. They have a financial self  
11 interest in tearing down the coal power plants so that they  
12 can build new ones.

13           Indeed, even if they farm out some or let's say  
14 in the unlikely event they farm out all of the construction  
15 to other companies, still if electricity rates are higher  
16 as a result of wind power as they are in other states that  
17 don't use coal power, again, their rate of return, their  
18 profits are higher.

19           I was particularly moved by Mr. Rackers'  
20 testimony earlier where according to him, NIPSCO saw an  
21 opportunity to reduce costs, but realized if they did so,  
22 they were reducing their profits and, therefore, did not do  
23 so. Now I'm sure that many people, perhaps most people --  
24 I hope all people in NIPSCO have good hearts, but it's easy  
25 to justify things when you answer to shareholders. It's

1 easy to come up with numbers.

2           I looked at their IRP. The data they showed that  
3 they say will save consumers money, they cherry pick  
4 projections from the most favorable sources; they don't  
5 list real world data from other states like I did; they  
6 don't list other studies.

7           Indeed, what's really striking about the NIPSCO  
8 proposal is they claim it's going to save consumers \$4  
9 billion, and yet they need a 12 percent rate hike to pay  
10 for these savings. They say that perhaps a few decades  
11 from now they'll recoup the costs. Well, then why should  
12 captive Indiana ratepayers bear that risk of their  
13 speculative, dubious projections? Let NIPSCO bear the  
14 risk. It's not fair for Indiana ratepayers to pay the  
15 price increase now on some vague assurance not backed up by  
16 any guarantee that sometime in the future NIPSCO will cut  
17 rates at least 12 percent and at least for as long. I  
18 mean, really, you think that's going to happen? That's not  
19 going to happen.

20           My experience in other states advocating for  
21 consumers in Kansas, in Colorado, in Ohio, and North  
22 Carolina, in these states each and every time, there was a  
23 proposal to increase the wind power, renewable power, but  
24 particularly wind power's share of electricity generation.  
25 Each and every time we were told that consumers' prices

1 would go down, costs would go down. Often times, the  
2 utilities themselves were pushing this plan, and in each of  
3 those states, what's happened? Prices have gone up.

4           Kansas, for example, I mentioned them earlier,  
5 they had below national average electricity prices just  
6 like Indiana. Jayhawkers were told that when they went to  
7 wind power their prices would go down further. Now Kansas  
8 pays significantly above national average prices. Indeed,  
9 this 12 percent rate hike alone puts Indiana ratepayers  
10 paying above national average prices. Why are we messing  
11 up a good thing?

12           I want to note for the record that my  
13 organization put out a Facebook ad, and we sent it out for  
14 Indianans, Hoosiers, to see, and we ran it for less than a  
15 week. Over 1,000 people signed on to our letter. You'll  
16 be receiving a copy of that this week. The people are  
17 behind affordable energy. It's not just the folks that  
18 signed that letter.

19           Governor Holcomb, he made it clear that he  
20 opposed the anti-coal campaign by the prior administration.  
21 President Trump made the same thing clear. They both won  
22 in this State; they both won handily.

23           It's not to say that you should be for one power  
24 source or another. What we should be for is affordable  
25 power, power that works, and in Indiana, coal power has

1 worked for a long time. It continues to work today. You  
2 see it in today's rates, and there's no justification for  
3 getting away from this.

4           So just in conclusion, thank you so much for  
5 giving up your Monday evening, and I hope that you'll take  
6 this to heart that if you approve this rate hike, you're  
7 gambling with the money from ratepayers, captive  
8 ratepayers. They're bearing the risk. In fact, it's not  
9 risk, it's a certainty. They're bearing the certainty of  
10 higher prices now on some vague projection that has never  
11 held true in any other state on their own supply data that  
12 some day, somehow customers might break even. Maybe a  
13 couple decades from now. I'm sorry; it just doesn't sound  
14 good.

15           Thanks so much.

16           MR. REED: Thank you very much, sir.

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**(WITNESS JAMES TAYLOR EXCUSED)**

1 MR. REED: Your Honor, the Public next calls  
2 Mr. Nicholas Vasil.

3

4 **NICHOLAS VASIL**, a witness appearing on behalf of the  
5 Public, having been first duly sworn,  
6 testified as follows:

7

8 **DIRECT EXAMINATION,**

9 **QUESTIONS BY MR. REED:**

10 A Good evening.

11 Q Good evening, sir.

12 Can I have you spell your name for the record,  
13 sir?

14 A V-a-s-i-l.

15 Q Please go ahead.

16 A Good evening, everybody. My name is Nick Vasil, a  
17 resident and lifelong citizen of Gary, Indiana.

18 First of all, I want to thank the Indiana Utility  
19 Regulatory Commission and the Indiana Office of Utility  
20 Consumer Counselor for holding this very important hearing.

21 After working 39 years at Ivy Tech Community  
22 College in Gary as a library clerk, I retired over four  
23 years ago. Since that time, I'm living on a fixed income,  
24 receiving social security and a small pension from my  
25 employment at Ivy Tech.

1           Simply and directly, I am requesting to know why  
2 NIPSCO is asking its residents and small businesses in our  
3 community to pay an extra 11.75 percent rate increase while  
4 corporations such as U.S. Steel, British Petroleum, and  
5 ArcelorMittal Steel industry and others will be paying  
6 about 19 percent less, less on their electric utility bill.  
7 This is unjust and unfair.

8           For my retirement income, I'm helping to support  
9 three other people in my household that I own. Two of the  
10 three have part-time jobs, and one is unemployed. It is  
11 said that NIPSCO has to retire older and less efficient  
12 equipment and services and implement renewable and  
13 alternative energy sources and more cost saving ways of  
14 providing electric energy to its customers. Is this true  
15 or just a ruse to validate raising and continually hiking  
16 the costs?

17           Please have NIPSCO provide clear and better  
18 transparency and accountability to our citizens that future  
19 costs will be reduced and stabilized and a time line of  
20 when these objectives will be reached from NIPSCO's  
21 innovative and streamlined approach.

22           Yes, I believe everyone should conserve energy  
23 and pay their fair share of the bill whether they be a  
24 family unit or a multi-million dollar company, but don't  
25 sacrifice one group like the elderly, the sick, and

1 disabled or the low income families for the benefit of big  
2 industries who may produce but also pollute the earth,  
3 water, and air like the ones that I mentioned.

4           The people of Gary especially need your advocacy.  
5 Its remaining citizens are presently on life support as a  
6 community. I know it's a multi-dimensional approach and  
7 challenge, but we have to make Gary and the surrounding  
8 communities vibrant again, and I address NIPSCO saying and  
9 the audience out there saying power to the people.

10           Thank you.

11           MR. REED: Thank you, sir.

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**(WITNESS NICHOLAS VASIL EXCUSED)**

1           MR. REED: Your Honor, the Public next calls  
2 Ms. Linda -- I'm going to take a shot at this -- Anguiano.

3

4 **LINDA ANGUIANO**, a witness appearing on behalf of the  
5           Public, having been first duly sworn,  
6           testified as follows:

7

8 **DIRECT EXAMINATION,**

9           **QUESTIONS BY MR. REED:**

10 A       It's close.

11 Q       Close? I apologize.

12 A       I've heard way worse. It's a hard "g."

13           You want me to spell my name?

14 Q       I think that would be a pretty good idea. I  
15 apologize.

16 A       It's A-n-g-u-i-a-n-o.

17 Q       Please go ahead, ma'am.

18 A       Okay. First of all, I would like to thank the Indiana  
19 Utility Regulatory Commission and the Office of Utility  
20 Consumer Counselor for holding this hearing. It really  
21 helps to feel like somebody cares and someone is paying  
22 attention.

23           Presently, I am living alone. I live in a small  
24 one bedroom house. I returned to Indiana because my  
25 elderly parents are here; they're nearly 90, and they still

1 live on their own, and they're doing well, thank God.

2           So I rented a small one bedroom house so I could  
3 be near them in case they needed assistance. This little  
4 house has been costing me this winter, which has been cold,  
5 \$150.00 to \$160.00 a month for my NIPSCO bill.

6           I have insulated this house. I keep my  
7 thermostat at 62 degrees. I wear sweaters; I have blankets  
8 everywhere. I try and encourage my little cats to sit on  
9 my lap and sleep with me at night because it's chilly at  
10 62 degrees.

11           I feel very concerned if this rate hike goes  
12 through, and I did some approximate calculations with the  
13 11.75 percent and the \$3.00 fixed fee which may not sound  
14 like a lot to other people, but that means my winter bills  
15 will be \$175.00 to \$180.00 a month for a single person.

16           I've had some health issues, and during my  
17 career, I worked a lot with non-profit organizations, so  
18 when I decided to retire and collect social security, you  
19 know, it's based on your income. Well, I never made a lot  
20 of money, so my social security payment is less than \$1,000  
21 a month, and you count \$150.00, \$160.00 just for utilities,  
22 550 for my rent, which is really cheap, it doesn't leave a  
23 lot for -- now that I'm over 65 -- my supplemental health  
24 insurance, my prescription insurance, my short-term care  
25 insurance, my dental and vision insurance, and due to my

1 health issues, I haven't been able to get a part-time job.

2           I'm a very passionate environmentalist. I  
3 believe we need -- we need -- our planet needs clean,  
4 renewable energy. I heard in horror about how the coal  
5 burning plant in Michigan City one day just poofed out a  
6 bunch of gray ash, and it fell all over the low income  
7 minority community that lives within the shadow of this  
8 coal burning plant in Michigan City. I don't know the  
9 exact figure, but something like 80 percent of the people  
10 that live near the coal burning plant are low income  
11 minority people, not unlike what's happened in East Chicago  
12 with all of the water, lead, arsenic, other toxicities in  
13 the water, in the earth, in the rivers and streams.

14           The low income people, people of color, brown  
15 people, black people, they bear the brunt of this because  
16 of the low rent that is available there, so when this ash  
17 fell on them, NIPSCO released a statement, oh, we know it's  
18 not toxic; all you have to do is shower, just wash it off.  
19 Well, how can they know that? There's a lot of toxins in  
20 those ashes.

21           So, yes, we want to retire these coal burning  
22 facilities, and we want renewable energy, and we want it  
23 done in a smart way because there are future generations  
24 coming. There is climate change. There is evidence that  
25 these coal burning mines along with car emissions, along

1 with emissions from steel plants and other industries is  
2 all contributing, so we need to take a wide look, a smart  
3 look, get our best engineers and come up with some  
4 solutions that don't put the price of this on the backs of  
5 the little people, and the CEOs get their \$1 million --  
6 multi-million dollar bonuses for earning money for their  
7 stockholders. We essentially are their No. 1 concern; we  
8 should be because we're the ones who pay the bills and keep  
9 them running.

10           As I mentioned, my parents are nearly 90. My  
11 landlord, he lives in a big house in front of my little  
12 house; he's also 87. I don't know how he can afford his  
13 bill. He's on a fixed income. His social security is even  
14 less than mine; mine is less than \$1,000 a month, as I  
15 mentioned, so I don't know how these people are going to  
16 survive these increases. These are just a few personal --  
17 I wanted to keep it short. These are a few personal  
18 stories that I'm familiar with.

19           I would appreciate very much you doing all you  
20 can to protect the workers, to invest in renewable  
21 resources, and to help create more jobs. I really think  
22 that we need to put people over the polluters, people over  
23 politics, and people over profits. I, like many others,  
24 worked my whole life. I never had anybody to support me,  
25 and I feel like this is my country; this is my state; this

1 is where I grew up, and that the people such as yourselves  
2 have in your power -- you have the power to make a  
3 difference in my life and in the lives of my family, my  
4 landlord, and, quite frankly, I've had to borrow money to  
5 pay my bills until I can recover from my health issues, get  
6 back on my feet literally, and get some part-time work. I  
7 can't make it with the social security and small pension  
8 that I get.

9                   So thank you very, very much for your time.

10                   MR. REED: Thank you, ma'am.

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**(WITNESS LINDA ANGUIANO EXCUSED)**

1           MR. REED: Your Honor, the Public next calls  
2 Connie Wachala.

3

4 **CONNIE WACHALA**, a witness appearing on behalf of the  
5           Public, having been first duly sworn,  
6           testified as follows:

7

8 **DIRECT EXAMINATION,**

9           **QUESTIONS BY MR. REED:**

10 Q       Good evening, ma'am.

11 A       Hello.

12 Q       Can I have you spell your last name for the record,  
13 please?

14 A       Yes, it's Connie Wachala, W-a-c-h-a-l-a.

15 Q       Ma'am, I notice on your appearance form this evening  
16 that you said you had both written comments as well as  
17 you'd like to speak. I don't have any written comments  
18 from you.

19           Can I make sure I get those from you before you  
20 leave?

21 A       Yes.

22 Q       Thank you very much.

23           The floor is yours.

24 A       I would like to thank the Office of Utility Consumer  
25 Counselor for rescheduling the public hearing and for this

1 opportunity to speak.

2           An electric rate hike will hurt many people I  
3 know who are struggling economically. It will hurt my  
4 neighbor, a single mother who works full time as a hospital  
5 aide. She has a hard time affording the basics right now.  
6 Last month her water was shut off because she was behind in  
7 her payments.

8           It will hurt one of my relatives who is inundated  
9 with medical bills after she fell on the ice and fractured  
10 her wrist this winter. In December, her husband had a  
11 seizure, and that alone resulted in a \$30,000 hospital  
12 emergency room bill.

13           Finally, it will hurt me. I've worked as a  
14 freelance writer and adjunct college teacher. My work was  
15 very rewarding but not well paid. Now that I'm retired, I  
16 live on a small fixed income. People are hurting; people  
17 are in debt.

18           In the City of LaPorte, according to a 2018  
19 United Way report, 55 percent of households struggle to  
20 meet basic needs.

21           In Lake County, 80,000 live below the poverty  
22 line.

23           The five large corporations don't need lower  
24 electric rates. ArcelorMittal made \$5.1 billion in profits  
25 in 2018. It would be shameful and cruel to lower their

1 rates and increase ours.

2 I thank Mr. Fine for his recommendation as  
3 Consumer Counselor to deny this rate increase, and I ask  
4 the Indiana Utility Regulatory Commission to follow his  
5 recommendation and vote no on the rate increase.

6 Thank you.

7 MR. REED: Thank you very much, ma'am.

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**(WITNESS CONNIE WACHALA EXCUSED)**

1 MR. REED: Your Honor, the Public next calls  
2 Ms. Mary Ellen Slazyk.

3

4 **MARY ELLEN SLAZYK**, a witness appearing on behalf of the  
5 Public, having been first duly sworn,  
6 testified as follows:

7

8 **DIRECT EXAMINATION,**

9 **QUESTIONS BY MR. REED:**

10 A I don't have a written comment, but I want to give you  
11 my NIPSCO bill. You can just keep it. This was my January  
12 bill. Use that for reference.

13 Thank you.

14 Q Thank you, ma'am.

15 Can I have you spell your name for the record,  
16 please?

17 A Sure. My last name is Slazyk, S-l-a-z-y-k.

18 Q Thank you, ma'am, and before I turn this over to  
19 you --

20 MR. REED: Your Honor, let me just state for the  
21 record that Ms. Slazyk has offered to attach to her  
22 testimony this evening a copy of her NIPSCO bill dated  
23 January 1, 2019 [sic].

24 Q With that, I will turn the floor over to you, ma'am.

25 A Thank you very much.

1           I wanted to give you the bill -- my actual bill,  
2 which has been paid. It's very interesting when I look at  
3 the breakdown on it. I'm quite upset with NIPSCO; I  
4 believe they're overcharging us now, and if you look at my  
5 bill -- maybe probably on your bill, too -- you can see all  
6 of the different little sections where you pay so much for  
7 the gas, but then there is interstate transmission,  
8 delivery charge, all this stuff they keep on throwing in  
9 besides the basic just having a meter on your house; you  
10 have to pay for that, too, and I think that's absolutely  
11 preposterous.

12           I, too, am on a very low income. I am retired.  
13 I'm 65. I graduated from this school right here, Hammond  
14 High, Class of '71. I don't get a pension, and I just get  
15 a social security check, and my social security check is  
16 only \$730.00 a month. I got a \$20.00 raise. I was 710; I  
17 went up to 730, and I do not get a pension.

18           When I get a bill like this, it makes it very  
19 difficult. Everything's been going up for us seniors on a  
20 fixed income. Not a lot of us have a lot of money coming  
21 in. Thank God I don't have a mortgage, but I do own my own  
22 house. It is an old house; it's 99 years old. I've got  
23 hot water radiator heat. I turn down my thermostat at  
24 night to 65. During the day, I got it at 70, and like  
25 somebody mentioned earlier about an older person with the

1 pets to feed, yeah, I have an elderly dog, and I have  
2 elderly cats that got to eat, too, and when I get this kind  
3 of a bill, it makes it very difficult.

4           NIPSCO is making a lot of profit; their  
5 shareholders are very happy, but we, the customers, are not  
6 very happy at all. We see the base rate, just to have the  
7 meter on the wall, go up and up. There's no reason for  
8 that. They should be glad that we're their customers. Of  
9 course, they're a monopoly, so we don't have much of a  
10 choice on that.

11           This reminds me of the story of Robin Hood.  
12 Robin Hood used to take from the rich and give to the poor,  
13 but here you got NIPSCO that's taking from the poor to give  
14 to the rich because that's what it boils down to.

15           When you want to give the billion dollar  
16 companies a break where you want to give 19 percent off  
17 their bill but yet you want to charge the customers that  
18 can least afford it 12 percent more besides all this other  
19 extra crap they throw on all the time as you can see by my  
20 bill, that's more than a monopoly, it's wrong; it's  
21 downright wrong. It's not fair to anybody at all.

22           I have no sympathy for the multi-billion dollar  
23 companies whose owners and board members and everybody else  
24 involved at the top are making so much money while the rest  
25 of us over here struggle. We are struggling to make it

1 because not only does NIPSCO go up, up, up, but we have  
2 increased property taxes; our water bills are up; my phone  
3 bill even went up, and I just have a basic phone on the  
4 wall, no long distance, no Caller ID, nothing, and it went  
5 up five more bucks this year, which is ridiculous. This is  
6 killing us, and we can't live without utilities.

7           In Hammond -- you see Hammond -- just, for  
8 example, I've been here all my life, so I guess I can talk  
9 bad about my community if I want to. There's a little law  
10 that if you have your utilities shut off for 30 days or  
11 longer, you have to have your house inspected -- or home or  
12 whatever it is inspected, and if they like it, well, then,  
13 you'll get your utilities turned back on. I know a lot of  
14 people who've had their utilities turned off, and it was  
15 more than a hardship, more than a hardship, especially when  
16 the City comes knocking on your door after that 30-day  
17 mark. Oh, your NIPSCO has been off for 30 days; we got to  
18 inspect to see if it's safe to turn back on. They're  
19 causing even more hardship with that. How can people  
20 afford the bill? Then you might have the City breathing  
21 down your neck, too, and I'm sure Hammond is not the only  
22 community like this.

23           It's just unfair all the way around. They want  
24 to cut costs at NIPSCO; they want to make more profit. Let  
25 them figure out a different way to do it. I don't have

1 cable. I don't have frills. I have an old, beat up,  
2 rusted out 2002 Chevy S-10 out there in the parking lot.  
3 It's a green one; it's in the first parking space. I had a  
4 chunk of rust and my fender was falling and going to hit my  
5 tire and make it flat the other day, so I went ahead and  
6 broke it off.

7 I've got to live within my means, and I wish I,  
8 you know, had a Mercedes out there, but that's never going  
9 to happen. I live within my means; I do with my budget --  
10 and everybody else out here is trying to do the best we  
11 can, too, and I have no pity, no sympathy whatsoever for  
12 greedy people that want to squeeze the last drop of blood  
13 out of a turnip.

14 Thank you.

15 MR. REED: Thank you very much, ma'am.

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**(WITNESS MARY ELLEN SLAZYK EXCUSED)**

1 MR. REED: Your Honor, the Public next calls  
2 Ms. Karen Jackson.

3 Your Honor, the record should reflect that it  
4 does not appear that Ms. Jackson is here. She offered no  
5 written comments but wished to speak. Since she is not  
6 here, the Public would call its next witness.

7 The Public next calls Ms. Catherine Campbell.

8

9 **CATHERINE CAMPBELL**, a witness appearing on behalf of the  
10 Public, having been first duly sworn,  
11 testified as follows:

12

13 **DIRECT EXAMINATION,**

14 **QUESTIONS BY MR. REED:**

15 A Good evening.

16 Q Good evening, ma'am.

17 How are you?

18 A I am fine.

19 How are you all?

20 Q I'm fine, thank you.

21 Could you please spell your last name for me?

22 A C-a-m-p-b-e-l-l.

23 Q Thank you very much, Ms. Campbell.

24 You may go ahead, please.

25 A Okay. Like I said, my name is Catherine Campbell, and

1 I'm from Gary, Indiana. I represent an organization, a  
2 non-profit organization, Moms on the Move. We spend a lot  
3 of our budget on helping families that need help for  
4 NIPSCO.

5           One of the things I wanted to say is the reason  
6 that NIPSCO does not deserve a rate increase is because  
7 they have poor customer service. They don't tell their  
8 customers that if you are not paying your -- if you're on  
9 a -- what do they call it? -- a payment plan and you're not  
10 paying your bill, that your optional services are not being  
11 paid -- I've heard a lot of stories and I've experienced it  
12 myself where you go to call them for your furnace or your  
13 refrigerator or whatever, and they tell you, well, you  
14 don't have any service because you haven't been paying, but  
15 yet still you pay on your bill every month.

16           The -- one of the reasons, too, that we have a  
17 lot of vacant houses in Gary is because of NIPSCO. The  
18 bills are high; the families can't afford to pay the bills;  
19 the bills -- the service get cut off. They can't afford to  
20 have the services turned back on because they have to pay a  
21 high deposit. Like the lady said, you have to have your  
22 house reinspected; you have to pay the electrician; you  
23 have to get a licensed electrician to come in. So people,  
24 they walk off and leave the houses in a lot of cases  
25 because they can't stay in there with no heat.

1           NIPSCO -- one of the things, too, I hear a lot of  
2 horror stories from families where they paid -- they think  
3 they've paid their bill. They might owe \$2.00 or \$3.00,  
4 and then before they know anything, they cut off. This  
5 poor customer service.

6           NIPSCO know for a fact that we have trees in our  
7 alleys and on our streets that the wires are going up into  
8 the trees. They have not come out and cut those things  
9 even though they've been called. Oh, I don't know what I  
10 was going to say. Some other stuff I wanted to mention.  
11 Oh, repairing streetlights. It might take them a year to  
12 come out and repair a streetlight.

13           So I don't think they deserve a rate increase  
14 because half of the families -- and I'm one of the senior  
15 citizens that they're talking about that cannot afford an  
16 increase. Everybody are not eligible for federal  
17 assistance in their -- with their NIPSCO bill, so we have a  
18 lot of people in Gary that are low income or even some that  
19 are not low income, the working poor, that cannot afford to  
20 pay their NIPSCO bill.

21           So I don't think they should be given a rate  
22 increase, especially since they going to give U.S. Steel a  
23 break. U.S. Steel should be paying -- subsidizing our  
24 NIPSCO bill because they pollute more than everybody in  
25 this region. You talk about the dust that come into the

1 community; I thought it was coming from U.S. Steel. I hear  
2 that evidently NIPSCO pollutes, too. Have that dust coming  
3 into your community, and you can't get it off your cars;  
4 you can't get it off your lungs. You walk it into -- you  
5 walk it -- track it into your houses.

6           So I say, no, don't give them a raise. You would  
7 be doing an injustice to everybody that's their customers.

8           Thank you.

9           MR. REED: Thank you, ma'am.

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**(WITNESS CATHERINE CAMPBELL EXCUSED)**

1           MR. REED: Your Honor, the Public next calls  
2 Ms. Natalie Ammons.

3

4 **NATALIE AMMONS**, a witness appearing on behalf of the  
5           Public, having been first duly sworn,  
6           testified as follows:

7

8 **DIRECT EXAMINATION,**

9           **QUESTIONS BY MR. REED:**

10 Q       Good evening, ma'am.

11 A       Good evening.

12 Q       Can I please have you spell your name for the record?

13 A       My full name or my last name?

14 Q       Just your last name.

15 A       A-m-m-o-n-s.

16 Q       Thank you very much, ma'am.

17           Please go ahead.

18 A       I want to say good evening, and I want to thank -- I  
19 appreciate the opportunity to be able to speak.

20           As you said, my name is Natalie Ammons. I'm a  
21 long time resident of the City of Gary and a station  
22 manager for a regional radio station.

23           Any cost is meaningful, whether it be food,  
24 medication, utility bills, or household expenses. I want  
25 to let you know that I get that, but tonight, I'm not here

1 to speak about NIPSCO's rate increase.

2           Instead, I want to speak on behalf of the  
3 importance of having a partnership that we have established  
4 in the community and the active role that NIPSCO does play  
5 in making a difference.

6           There are not many organizations within the  
7 business community that have matched the level of  
8 commitment and involvement that has been provided by  
9 NIPSCO, and I'm speaking more than just from a financial  
10 end.

11           They are active partners in economic development.  
12 They do help bring other jobs and employers to the  
13 community. They are leaders in inclusion and diversity,  
14 whether it's through scholarships and mentoring programs,  
15 workforce development, and partnerships with local minority  
16 businesses, which includes my employer and others.

17           As a customer, I am familiar with the fact that  
18 they provide bill payment assistance and energy efficient  
19 programs and salvage programs for those who are struggling  
20 with bills including senior citizens and other low income  
21 customers.

22           I also strongly support the move that they're  
23 making to retire all of their coal plants and to replace  
24 them with renewable energy.

25           Now, NIPSCO is focused on the community and its

1 customers. I am thankful for their continued involvement.  
2 How many companies or organizations do you know that spend  
3 money so the consumers can learn about conserving energy  
4 and how to save money? I know I'm in the minority on that,  
5 and I'm fine with that, but for me, I do want them to  
6 continue their involvement in our community.

7 Thank you.

8 MR. REED: Thank you very much, ma'am.

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**(WITNESS NATALIE AMMONS EXCUSED)**

1 MR. REED: Your Honor, the Public next calls  
2 Ms. Lisa Gerardi.

3 Your Honor, the record should reflect that no one  
4 has approached the podium, so I assume Ms. Gerardi has  
5 left. We will call our next witness.

6 Your Honor, the Public next calls Ms. Laura  
7 Henderson.

8

9 **LAURA HENDERSON**, a witness appearing on behalf of the  
10 Public, having been first duly sworn,  
11 testified as follows:

12

13 **DIRECT EXAMINATION,**

14 **QUESTIONS BY MR. REED:**

15 Q Good evening, ma'am.

16 A Hi.

17 Q Could you spell your last name for me, please?

18 A H-e-n-d-e-r-s-o-n.

19 Q Thank you, Ms. Henderson.

20 Please go ahead.

21 A Hi. Thanks for the opportunity for us to speak here  
22 tonight.

23 I'm from Michigan City, and I am very glad that  
24 NIPSCO plans to decommission the coal burning plant in  
25 Michigan City and hopefully switch to more renewable energy

1 sources. I wish it was sooner than ten years.

2           However, I oppose the rate hikes, especially  
3 hikes with the added insult that we poor, limited income,  
4 non-profits, churches, and small businesses will be paying  
5 for a decrease in rates for large companies.

6           That's all.

7           MR. REED: Thank you very much, ma'am.

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**(WITNESS LAURA HENDERSON EXCUSED)**

1 MR. REED: Your Honor, the Public next calls  
2 Ms. Adriane Jagger.

3 Your Honor, the record should reflect that no one  
4 is approaching the podium, so I will assume that Ms. Jagger  
5 has left. We will call our next witness.

6 Your Honor, the Public next calls Ms. Dalia  
7 Zygas.

8

9 **DALIA ZYGAS**, a witness appearing on behalf of the Public,  
10 having been first duly sworn, testified as  
11 follows:

12

13 **DIRECT EXAMINATION,**

14 **QUESTIONS BY MR. REED:**

15 Q Good evening, ma'am.

16 A Good evening.

17 Q Ma'am, can I have you spell your last name for the  
18 record, please?

19 A Yes. It's Z-y-g-a-s --

20 Q Thank you very much.

21 A -- and it's pronounced Zygas.

22 Q Zygas?

23 A Yes.

24 Q I'll get it right next time.

25 A Thank you.

1           Welcome, Commissioners and everybody else. I  
2 would like to voice my opposition to the NIPSCO rate hike.

3           The reason coal burning plants are shifting to  
4 renewable energy sources is lower costs. That seems  
5 reasonable. Currently, NIPSCO ships in hundreds of rail  
6 cars of coal daily to burn in their Michigan City plant.  
7 They need to pay for that ash disposal as well. So once  
8 they put the alternative energy infrastructure in place,  
9 they will no longer have these expenses, just free sunshine  
10 and/or wind. Yes, they will need to maintain the power  
11 grid, but this was always the case.

12           Is this increase just a way to increase dividends  
13 for stockholders on the backs of those who can afford it  
14 the least? Residential users and small businesses should  
15 not be subsidizing the big industries and shareholders.

16           Thank you very much.

17           MR. REED: Thank you very much, ma'am.

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**(WITNESS DALIA ZYGAS EXCUSED)**

1           MR. REED: Your Honor, the Public calls its next  
2 witness, Mr. Daniel Dugan.

3

4 **DANIEL DUGAN**, a witness appearing on behalf of the Public,  
5           having been first duly sworn, testified as  
6           follows:

7

8 **DIRECT EXAMINATION,**

9           **QUESTIONS BY MR. REED:**

10 Q       Good evening, sir.

11 A       Good evening, sir.

12 Q       Sir, can I have you spell your last name for me,  
13 please?

14 A       Yes, Dugan, D-u-g-a-n.

15 Q       Thank you, sir.

16           The floor is yours.

17 A       Thank you.

18           My name is Daniel Dugan, and I am a civil  
19 engineering student at Purdue Northwest here in Hammond.  
20 As an engineering student, I plan to do what all civil  
21 engineers do and plan for the future accounting not just  
22 for my clients' interests but also for the communities'  
23 interests and everyone that is involved, make sure that  
24 decisions are made in their best interests, and NIPSCO, I  
25 believe, should be doing the same thing.

1           NIPSCO has a lot of excellent PR. They have  
2 things -- I was looking on the website earlier about their  
3 plan for the future, renewable energy, and making it more  
4 sustainable, and their PR is really excellent, and  
5 sometimes it matches up with what they do, and sometimes it  
6 doesn't.

7           For instance, in the past and currently, I've  
8 looked into -- I'm an engineer -- engineering major, but I  
9 looked up stuff about who invests stuff that a business  
10 major might know, but who invests into NIPSCO, and a lot of  
11 times, it has been investing firms that don't have the best  
12 record in doing what's best for the people, and that is  
13 still the case today.

14           I do agree with their plan that they are coming  
15 up with now to introduce renewable energy to our region,  
16 and that is to close down the coal plants and bring in  
17 renewable energy. They should be shutting down the natural  
18 gas, but it is a lot better than coal.

19           Because -- the reason I support these changes is  
20 because it creates more jobs than it takes away. If you  
21 look at newspapers or you read any studies, in Indiana and  
22 across the country, there are more jobs in renewable energy  
23 than there are in coal. Coal is a dying industry, and also  
24 it is the cleanest and the cheapest -- most cheapest option  
25 that we have available. Coal, while some people say that

1 it is cheaper, it actually is not, and we need to go with  
2 our best option which is renewable energy.

3           So this decision for me is about integrity and  
4 transparency, so what NIPSCO says they're going to do  
5 should match what they do, and if they increase prices on  
6 our customers, how does that reflect on -- how does that  
7 reflect on what they're doing for increasing renewable  
8 energy? That creates a false idea in people's heads, so I  
9 would like to address a common misconception.

10           While I agree with the gentleman who stated  
11 earlier from The Heartland Institute that consumers should  
12 not bear the price increases, the reason that prices are  
13 going up for us is not because of renewables; it is because  
14 NIPSCO is giving free money, a 20 percent discount, to  
15 industrial companies that don't need it. They already got  
16 a tax break from the federal government. They don't need  
17 this break, and that is why our prices are going up.  
18 Renewables are actually good for our economy, and we should  
19 be investing in them.

20           So the most important thing, I think, for this  
21 Commission is what your spokeswoman said at the beginning  
22 of this presentation -- of this meeting, and that is we  
23 need to make a decision that is reasonable. Is it a  
24 reasonable thing to raise rates on consumers, 12 percent,  
25 while we're giving a discount to industrials for

1 20 percent?

2 I want to make sure -- make it clear that I'm not  
3 against renewable energy; I'm against raising the rates.  
4 It is unreasonable to increase prices for us while giving  
5 industry a discount, especially at a time when we are  
6 investing in the future of clean energy. If NIPSCO  
7 actually cares about clean energy, then they should do it  
8 not by increasing prices and killing jobs.

9 I am just an engineering student with no favors  
10 to trade, but I believe that this Commission will make the  
11 right decision.

12 Thank you very much for your time.

13 MR. REED: Thank you very much, sir.

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**(WITNESS DANIEL DUGAN EXCUSED)**

1           MR. REED: Your Honor, the Public calls its next  
2 witness, Corey Hagelberg.

3           Good evening, sir.

4           Your Honor, I have been advised by Mr. Hagelberg  
5 that he would prefer to allow his time to be used by other  
6 witnesses, so we will not call him as a witness, and we'll  
7 move on to our next witness.

8

9 **LaTONYA TROUTMAN**, a witness appearing on behalf of the  
10           Public, having been first duly sworn,  
11           testified as follows:

12

13 **DIRECT EXAMINATION,**

14       **QUESTIONS BY MR. REED:**

15 Q       Good evening, ma'am.

16 A       Merry Christmas.

17 Q       Ma'am, I'm going to get rid of this microphone because  
18 it's working a lot better when I just talk.

19 A       All right.

20 Q       Can you tell me, ma'am, if you've previously submitted  
21 one of the appearance sheets?

22 A       I did.

23 Q       Can you please tell me, ma'am, your first and last  
24 name?

25 A       LaTonya Troutman.

1 Q Ma'am, if you'll give me just a moment to find that.

2 There we go.

3 Now, ma'am, can I please have you spell both your  
4 first name and your last name for me?

5 A Sure. L-a-T-o-n-y-a, LaTonya, that's my first name.

6 Last name is Troutman, T-r-o-u-t-m-a-n.

7 Q Thank you, ma'am.

8 I notice on your form here, your appearance form,  
9 that you said you had both -- you would like to speak and  
10 provide written comments.

11 I don't have any written comments from you. Am I  
12 going to get those when you're done?

13 A You will.

14 Q Very good. Thank you very much, ma'am.

15 The floor is yours.

16 A Thank you so much. Again, Merry Christmas to everyone  
17 on the Commission and out there.

18 My name is LaTonya Troutman. I have resided in  
19 Michigan City my entire life.

20 Currently, Michigan City -- for Michigan City  
21 residents, 53 percent of Michigan City residents' income  
22 barely meets their basic needs. One-third of City  
23 residents are African-American. 45 percent of those  
24 African-Americans are in poverty. These poverty stricken  
25 residents are less likely to have health insurance. They

1 are most likely to breathe in the toxic fumes from the west  
2 side coal plant that are silently killing them. They are  
3 also less likely to have life insurance because of their  
4 fixed, low, or no income.

5           The NIPSCO bill takes the majority of the income  
6 of the people in the lower tax brackets outside of rent or  
7 mortgage. When the community residents have a fixed, low,  
8 or no income status, it affects the number of small  
9 businesses that sustain within the community or if they  
10 even open up for business at all. A higher NIPSCO bill  
11 affects the number of customers actually shopping in those  
12 small businesses. Also, these same small businesses must  
13 go up on their prices to afford higher bills still  
14 resulting in a decrease of customers.

15           A higher NIPSCO bill affects churches like my  
16 own, Advancing Christ's Kingdom Ministries in Michigan  
17 City. When their NIPSCO bill is raised, it affects the  
18 amount of community outreach programs a church can give.  
19 It also affects the church members who in turn turn to the  
20 church to receive assistance with their utility bill. If  
21 they cannot afford to help them, the lack of assistance has  
22 the ability to affect their faith and turn them away from  
23 not only the church but also sometimes even God.

24           A higher utility bill affects non-profit  
25 organizations who receive capped grants to help those in

1 need of some services. The number of people that needs  
2 their services increase, although often the capped funding  
3 remains the same.

4           As Chair of the Environmental and Climate Justice  
5 of the LaPorte County NAACP Branch 3061, I am here to say  
6 enough is enough. We've paid enough in costs and in toxins  
7 or pollutions. This unfair and unjust cost shift will  
8 disproportionately take from the pockets of our region's  
9 low income and working class communities who already  
10 struggle to afford their utility bills.

11           As NIPSCO customers, we pay enough. We already  
12 pay the second highest bills in the state. Higher energy  
13 costs forces customers to forgo critical services including  
14 healthcare, food, and child care.

15           This leads to a higher risk of utility service  
16 termination forcing customers to find other often hazardous  
17 means of heating and lighting.

18           I hold here 500 of the almost 900 signed  
19 petitions from residents of Michigan City, Gary, Hammond,  
20 Highland, and other regions that stand with myself, the  
21 NAACP, and the Indiana Beyond Coal Campaign that are in the  
22 vulnerable communities.

23           We oppose NIPSCO's request. We urge you to  
24 please make the industrial customers and NiSource  
25 stockholders pay their fair share. In turn, please support

1 the creation of programs and policies that ensure  
2 affordable rates for our customers.

3 Thank you.

4 MR. REED: Thank you very much, ma'am.

5 Your Honor, the record should reflect that I have  
6 received from Ms. Troutman a substantial file of  
7 multi-colored documents.

8 None of these are numbered, but they will go into  
9 the record as part of Ms. Troutman's exhibit.

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**(WITNESS LaTONYA TROUTMAN EXCUSED)**

1 MR. REED: Your Honor, the Public calls its next  
2 witness, Mr. Jon Gold.

3 Good evening, Mr. Gold.

4 MR. GOLD: Hello.

5 Before we go any further, we're far enough down  
6 the list, and I'm going to hand the microphone back over to  
7 the Judge because I'm afraid there were some folks who came  
8 in late and may not have been sworn, not just yourself but  
9 other folks in the audience, so before we go any further, I  
10 want to make sure we're getting sworn testimony.

11 MR. GOLD: I already did, but I'll do it again if  
12 you want.

13 MR. REED: So we're just going to swear everybody  
14 in and -- everybody else, so if you can bear with me just a  
15 moment, please.

16 THE COURT: Thank you, Mr. Reed.

17 Will everyone who plans to give testimony at this  
18 Field Hearing who has not already been sworn, please stand  
19 now and raise your right hand to be sworn.

20

21 (OATH DULY ADMINISTERED TO FIVE PEOPLE)

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1 **JON GOLD**, a witness appearing on behalf of the Public,  
2 having been first duly sworn, testified as  
3 follows:

4  
5 **DIRECT EXAMINATION,**

6 **QUESTIONS BY MR. REED:**

7 Q Mr. Gold, thank you for your patience.

8 The floor is yours.

9 A My name is so easy to spell that I didn't have to  
10 spell it for you.

11 My name is Jon Gold, and I serve as the CEO of  
12 Tradewinds, a full service and resource organization  
13 supporting people with disabilities for more than 50 years.

14 Affordability and competitive rates are  
15 essential, and while no one wants to see the cost of goods  
16 or services increased and while I appreciate everybody's  
17 perspective here, I'm here to provide a perspective on  
18 NIPSCO based on our organization's point of view and the  
19 positive impact that they have as a critical business in  
20 our region.

21 They're more than just the bill that we pay each  
22 month. Organizations such as ours depend on support from  
23 the business community, and NIPSCO is a true leader in this  
24 space. As a long time partner of Tradewinds, NIPSCO helps  
25 makes it possible for us to provide essential programming,

1 training, and services for hundreds of children and adults  
2 with physical and developmental disabilities including  
3 opportunities that have led to workforce development and  
4 employment. We represent one of the many stories where  
5 NIPSCO's involvement has made a lasting, positive impact on  
6 the lives of others, and we're grateful for their essential  
7 contributions to the community.

8 Thank you.

9 MR. REED: Thank you very much, sir.

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(WITNESS JON GOLD EXCUSED)

1 MR. REED: Your Honor, the Public calls its next  
2 witness, Sean Irwin.

3

4 **SEAN IRWIN**, a witness appearing on behalf of the Public,  
5 having been first duly sworn, testified as  
6 follows:

7

8 **DIRECT EXAMINATION,**

9 **QUESTIONS BY MR. REED:**

10 Q Good evening, sir.

11 A Good evening.

12 Q Can I have you spell your last name for the record,  
13 please?

14 A Irwin, I-r-w-i-n.

15 Q Thank you very much, sir.

16 Please go right ahead.

17 A Before I begin my statement, I'm offering a statement  
18 of -- by proxy of a friend of mine who's at work right now  
19 and couldn't come.

20 If NIPSCO wants to increase my rate, they better  
21 damn well guarantee that my power stops going out multiple  
22 times a month. For the love of God, invest in  
23 infrastructure. At the end of the day, I don't have a  
24 problem with someone making a profit. Everyone has to eat.  
25 That being said, NIPSCO better be providing a quality

1 product if NIPSCO wants me to pay more. NIPSCO is falling  
2 far short of that mark.

3           Again, that's not my statement, it's just by  
4 proxy.

5           So good evening, and thank you for taking the  
6 time to come down -- or come up here, I think.

7           This proposal -- the proposed rate recalibration  
8 represents another attack on working class Americans by big  
9 business via government corporate welfare. The massive  
10 transfer of wealth from the working class into the coffers  
11 of multi-national, multi-billion dollar corporations is an  
12 attack -- is an ageist, sexist, and racist attack upon  
13 working class Hoosiers.

14           According to Thomson Reuters, in 2018, BP made  
15 \$12.7 billion. Meanwhile, BP was the 11th largest polluter  
16 according -- accounting for 1.53 percent of all global  
17 greenhouse emissions. I'd also like to remind folks that  
18 in 2010, BP was responsible for the largest oil spill at  
19 its Deep Water Horizon location.

20           Let's be real here. Big business does not need  
21 another handout, but instead, working class folks need a  
22 reduced electric bill. That's why I'm here. My parents  
23 are retired. My dad spent 44 years at U.S. Steel, one of  
24 the big industrial companies that's going to get a proposed  
25 rate reduction. His -- our bill -- my family's bill will

1 go up by \$40.00 a month. Now for some of you all folks,  
2 that's not a lot of money; that's, you know, 40 bucks, but  
3 they're retired. They're on a pension, and you're asking  
4 my parents who have worked all their lives to subsidize a  
5 \$12.7 billion company, and you're asking all these folks  
6 back here to do the exact same thing, to sit there and  
7 subsidize multi-billion dollar companies that get tax  
8 benefits from the American, British, and Indian  
9 governments.

10           Plenty of folks here have asked you to reject  
11 this rate proposal increase. I'm telling you -- I'm  
12 demanding that you reject this rate proposal increase  
13 because it is ageist, it is sexist, and it is racist. It  
14 is attacking seniors, it is attacking working class women,  
15 and it is attacking people of color who barely struggle to  
16 make their ends meet.

17           Thank you, and have a great day.

18           MR. REED: Thank you very much, sir.

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**(WITNESS SEAN IRWIN EXCUSED)**

1           MR. REED: Your Honor, the Public calls its next  
2 witness, Ms. Jen Woronecki-Ellis.

3

4 **JEN WORONECKI-ELLIS**, a witness appearing on behalf of the  
5           Public, having been first duly sworn,  
6           testified as follows:

7

8 **DIRECT EXAMINATION,**

9           **QUESTIONS BY MR. REED:**

10 Q       Good evening, ma'am.

11 A       Hi.

12 Q       Can you please spell your last name for the record?

13 A       Woronecki, W-o-r-o-n-e-c-k-i-Ellis, E-l-l-i-s.

14 Q       Thank you very much, ma'am.

15           Please go ahead.

16 A       Thanks a lot.

17           I'm a lifelong NIPSCO customer. I'm also  
18 disabled, unemployed, and live in a low income  
19 neighborhood.

20           I do oppose the fixed charge increase as it  
21 relates both to my finances and because it doesn't  
22 encourage energy efficiency and customer-owned renewables.

23           I do, however, support coal retirements and the  
24 transition to renewables. That actually saves customers  
25 4 billion over business as usual and is the least expensive

1 and lowest risk according to the IRP, and I also even got  
2 to attend the IRP meeting, so it was really interesting to  
3 have that explained to me.

4           An expert from Synapse Energy Economics,  
5 Incorporated found that NIPSCO's proposal for accelerated  
6 depreciation of coal plant capital is reasonable and should  
7 be approved by the IURC.

8           I look at it this way: I don't want to take my  
9 medication because I don't like the side effects, but I do  
10 take my meds because I don't want to have seizures, so I  
11 just make sure I'm taking the lowest dose possible to keep  
12 from having seizures. Similarly, I don't want to pay  
13 higher rates, but I do want a transition from coal, so I  
14 support a partial rate increase as it relates to shutting  
15 down coal.

16           Thanks.

17           THE COURT: Thanks, everybody.

18           We're going to take another short break for ten  
19 minutes. We'll reconvene back here at 9:05 P.M.

20           Let's go off the record.

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23           **(WITNESS JEN WORONECKI-ELLIS EXCUSED)**

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25           (HEARING IN RECESS UNTIL 9:05 P.M., SAME DAY)

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# **ATTACHMENT KLO-10**

## STATE OF INDIANA

## INDIANA UTILITY REGULATORY COMMISSION

PETITION OF NORTHERN INDIANA PUBLIC )  
SERVICE COMPANY LLC PURSUANT TO )  
INDIANA CODE SECTIONS 8-1-2-42.7, )  
8-1-2-61, AND INDIANA CODE 8-1-2.5-6 )  
FOR (1) AUTHORITY TO MODIFY ITS RATES )  
AND CHARGES FOR ELECTRIC UTILITY ) CAUSE NO.  
SERVICE THROUGH A PHASE IN OF RATES; ) 45159  
(2) APPROVAL OF NEW SCHEDULES OF RATES )  
AND CHARGES, GENERAL RULES AND )  
REGULATIONS, AND RIDERS; (3) APPROVAL )  
OF REVISED COMMON AND ELECTRIC )  
DEPRECIATION RATES APPLICABLE TO ITS )  
ELECTRIC PLANT IN SERVICE; (4) APPROVAL )  
OF NECESSARY AND APPROPRIATE ACCOUNTING )  
RELIEF, AND (5) APPROVAL OF A NEW )  
SERVICE STRUCTURE FOR INDUSTRIAL RATES )

TRANSCRIPT OF FIELD HEARING

Field Hearing continued to be heard, to adjournment, on March 11, 2019 at 9:05 P.M. (Local Time) at the Hammond High School Auditorium, 5926 Calumet Avenue, Hammond, Indiana before Chairman James F. Huston, Commissioner Sarah E. Freeman, Commissioner Stefanie Krevda, Commissioner David E. Ziegner and Administrative Law Judge Brad J. Pope (Presiding)



1 Hammond, Indiana  
2 March 11, 2019  
3 9:05 P.M. (Local Time)

4 THE COURT: Let's go back on the record.

5 MR. REED: Thank you very much, Your Honor.

6 The Public calls its next witness

7 Ms. Rachel Wilbourn.

8

9 **RACHEL WILBOURN**, a witness appearing on behalf of the  
10 Public, having been first duly sworn,  
11 testified as follows:

12

13 **DIRECT EXAMINATION,**

14 **QUESTIONS BY MR. REED:**

15 A Good evening.

16 Q Good evening, ma'am.

17 Could you, please, spell your last name for the  
18 record?

19 A W-i-l-b-o-u-r-n.

20 Q Thank you very much, ma'am.

21 Please go ahead.

22 A Okay. Basically I'm coming today as a concerned  
23 resident, parent, former teacher, and a person that I would  
24 like to say trying to live a Christian life.

25 I come to oppose the 12 percent over the low

1 income and the poor. I understand, especially as being a  
2 person that has worked and a person that is still paying  
3 bills and knowing -- having a house, you know, you have to  
4 make up rates and things, and so I know changes have to  
5 occur, and they have to be paid for, but everyone would  
6 benefit -- whatever you do, if you decide to put in other  
7 plants, get rid of coal plants, however you choose to do  
8 it, the big businesses are going to benefit from it, the  
9 well-off is going to benefit from it, as well as the poor,  
10 as well as the close to no income and low income.

11           So I think it would be fair to say that if you're  
12 going to do a 12 percent, it would be -- it should be  
13 spread across the board. It would be no such a thing as a  
14 12 percent highest to anybody if everybody was made to pay  
15 their fair share. Everybody pay their fair share, then, it  
16 will work, but if you expect -- and I set back because I  
17 can relate to being broke completely. I can relate to  
18 working.

19           When I was working as a substitute teacher, I  
20 still had to go to the welfare department. Now, I don't  
21 know how that would make you feel, but that didn't make me  
22 feel too good because it was me with children in the house  
23 working, teaching my children, other people's children, and  
24 still have to go to the welfare department to get medical  
25 help.

1           So, see, this is not good. This is not good how  
2 we are allowing the rich and well-off to get all these  
3 benefits and how we are constantly tagging the low income  
4 and trying to squeeze, like the lady said, every drop of  
5 blood you can get from them, and what I believe is that it  
6 is going to wind up if you decide to do this 12 percent on  
7 the lower income people, no income, the next to no income  
8 people, you're pretty much not going to get it because they  
9 don't have it to give it to you.

10           So what you're going to do is you're going to  
11 send out more bills and more people are going to have  
12 disconnect notices, and you're going to have more people  
13 and more debt to you so you don't benefit and we don't  
14 benefit.

15           So I set back and I say, hmm, now what would be  
16 one thing they could do? One thing -- this is a little  
17 idea that came from little old me -- was maybe they could  
18 come up with something like an early bird discount. Maybe  
19 instead of just thinking about how to take and penalize and  
20 penalize, let's think about how we can provide an incentive  
21 to everybody to maybe help them want to maybe come up with  
22 the money, and like I said, the poor people don't have it.  
23 So when I say people coming up with the money, I'm talking  
24 about the people that do have it like the big businesses  
25 and whatever, but you can put this across the board.

1 Again, my idea was an early bird discount.

2           Now, you know how you have on the bill if you're  
3 late, you're going to get charged a late fee? So why not  
4 have on the bill an early bird discount where if the people  
5 pay their bill before their due date, even if it's just one  
6 day, even if they send it by mail and it just gets there  
7 before the due date, give them a percentage off for it,  
8 maybe give them 10 percent off for it.

9           Because, see, one thing about it, the poor person  
10 is going to say: Well, you know what? They done went up.  
11 I ain't got it. So what, I'll just owe them more. If you  
12 say -- And if you say to the people that has money: Oh,  
13 oh, I can actually get something off for paying this early.  
14 Oh, I'm going to hurry up and make sure they have their  
15 money, and so then you're going to have your money early;  
16 okay, and then the poor man is going to say: Well, you  
17 know what? I can sure stand to have some money off my  
18 bill, so maybe I ought to go ahead and try to get my money  
19 together or borrow my money because a lot of times they  
20 really don't have any money to get together because they're  
21 living from check to check or half a check to half a check  
22 in the first place, and so they're going to say: Well, let  
23 me maybe beg and borrow and beg the church and beg -- and  
24 get whatever money I can together to pay this bill ahead of  
25 time; okay? So this is my little thought or idea I had on

1 it.

2           I have some education, and I would be willing to  
3 even try to help set something up with this company. I  
4 have a computer information systems background. I have an  
5 administration background. I just went into substitute  
6 teaching because I have small children, and I was trying  
7 to accommodate them without doing any babysitting, and so I  
8 would be willing to help bring this about, do the time,  
9 help bring it about, because I really want to see me and  
10 other people get a break for once.

11           I don't mind -- I don't care -- Like I said, this  
12 should go out to everybody because, see, me myself, I feel  
13 like it would be fair. If you do it for this, if you do it  
14 for them, do it for them. If you do it for the rich, do it  
15 for the poor. If you do it for the lower or the small  
16 business, do it for the big -- do it for everybody, and  
17 then it could maybe be a win-win situation instead of  
18 people that is poor constantly getting poorer, and like I  
19 said, all you're going to get -- you're not going to get  
20 the 12 percent because they don't have it to give it to  
21 you. All you're going to get is more debt, more notices,  
22 basically you get nowhere. So maybe if you will maybe  
23 consider my early bird discount, I would appreciate it.

24           Thank you for your time. Thank you for bringing  
25 me up now. I appreciate it.

1 Q Thank you very much, ma'am.

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**(WITNESS RACHEL WILBOURN EXCUSED)**

1 MR. REED: Your Honor, the Public calls as its next  
2 witness Ms. Kendra Johnson.

3

4 **KENDRA S. JOHNSON**, a witness appearing on behalf of the  
5 Public, having been first duly sworn,  
6 testified as follows:

7

8 **DIRECT EXAMINATION,**

9 **QUESTIONS BY MR. REED:**

10 Q Good evening, ma'am.

11 A Good evening.

12 Q Can you spell your last name for me, please?

13 A My name is Kendra S. Johnson, J-o-h-n-s-o-n.

14 Q Thank you very much, ma'am.

15 Please go ahead.

16 A First of all, I'd like to thank you all for  
17 rescheduling this hearing after the weather made it almost  
18 impossible to come in January. I heard someone say Merry  
19 Christmas. Well, even though it's getting close to  
20 St. Patrick's Day, reading what NIPSCO wants to do is  
21 making us look like April fools.

22 If a person makes \$7.25 an hour and they work six  
23 hours a day, that comes out to \$44.50 [verbatim]. If you  
24 multiply that times five days a week, that comes to  
25 \$222.50. If you multiply that times four weeks in a month,

1 that comes out to \$890. That's barely enough to pay the  
2 rent, let alone NIPSCO, let alone medical, let alone food,  
3 and definitely not enough to budget child care.

4           I don't know if you all are aware, but in public  
5 housing, those individuals that have to pay utilities, if  
6 their utilities get cut off and they're unable to have them  
7 put back on within 30 days, their lease is terminated. If  
8 their lease becomes terminated, now all of a sudden they  
9 don't have a place to live, and that makes them susceptible  
10 to DCFS coming and taking their children. Is this the type  
11 of environment, is this the type of community, is this the  
12 type of message, we want to send to families?

13           I understand this is a capitalistic country, and  
14 goodness knows, I've had too many people capitalize on me.

15           Let me tell you three stories real quick. No. 1,  
16 in 1988, I moved out of an apartment. I went down to the  
17 NIPSCO office. I told them to cut off the utilities  
18 because I had moved. When I got ready to move into my next  
19 place, I was told I had to pay \$120. I asked them: Why?  
20 I told you to cut the utilities off. They told me when  
21 they went to the apartment, somebody else was living there.  
22 I asked them: Did you ask for I.D., because it wasn't me,  
23 and I did not give anyone permission to use utilities in my  
24 name? They didn't. That's a price I had to pay.

25           My teenage daughter when she got ready to move

1 into a place of her own went to NIPSCO and was told that  
2 she had to pay a bill. She said: Why? Turned out that  
3 someone took her social security number and opened a NIPSCO  
4 account in her name, and mind you, at the time, she was  
5 15-years old, and it was not her, but that was a bill she  
6 had to pay once she got grown.

7           Last, but not least, in 2002, my mother who was  
8 trying her best to be able to afford her NIPSCO bill kept  
9 her air conditioning on the lowest setting and ended up  
10 having a heatstroke with my four boys in the house. I got  
11 a call that my mother did not make it, and if it hadn't  
12 been for my 8-year old son being in that house, I probably  
13 would have lost my three boys. All because she couldn't  
14 afford to pay the NIPSCO bill, and she was on a budget  
15 plan. That was 2002.

16           Now the residents in this area are being asked to  
17 pay another hike. What about our seniors? What about our  
18 low income? Do you -- But the industries are being able to  
19 get -- to receive a reduction?

20           So let me ask you a question: These agencies and  
21 these industries that's going to get the reduction, are  
22 they going to give their workers raises so that they'll be  
23 able to pay the NIPSCO bill that's going to be hiked up on  
24 them? I don't think so.

25           Earlier, I talked to one of the communication

1 persons from NIPSCO, and I told him I heard about the  
2 NIPSCO app, but I kind of reminded him that not every  
3 senior citizen is tech savvy, and it would behoove him to  
4 go out into the community and let the seniors and other  
5 individuals know what kind of programs are available to  
6 assist them.

7           There was a time that they used to have the Gift  
8 of Warmth program, and I would see them selling hot dogs  
9 and chips and pop, and even though I didn't have much  
10 money, I made sure I purchased something because every  
11 little bit helps, and who knows, I might have been the one  
12 that needed that Gift of Warmth program. I don't see that  
13 any longer. When they do provide energy assistance, do  
14 they get a tax cut?

15           I just recently read that U.S. Steel was  
16 receiving a huge amount of money, but the industries are  
17 going to get a reduction. I know life isn't fair, but like  
18 I've heard so many people say here this evening, you can't  
19 get blood out of a turnip, and what goes around comes  
20 around, and I would hate to see any of those individuals  
21 now end up having what they're putting the poor through  
22 happen to them.

23           The Bible says that the poor have the ear of God,  
24 and as I said, what goes around comes around; so I would  
25 suggest that they raise that reduction and lower the

1 increase that they want to put on the people because the  
2 only way it works is if we all work together.

3           Thank you.

4 Q       Thank you very much, ma'am.

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**(WITNESS KENDRA S. JOHNSON EXCUSED)**



1           I've spoken with some other people as well, and  
2 they believe that -- they're happy to pay a little more  
3 when it comes to this specific charge that will be coming  
4 up on our bill because of this rate increase because we  
5 firmly believe that retiring the coal-fired power plants is  
6 critically important to avert the worst possible cases of  
7 climate change coming in the future. So we understand and  
8 are able to do it; so many of us are willing to do that  
9 portion of it.

10           The rest of the rate increase, though, I do not  
11 agree with. I would like to focus on the rate for the  
12 industrial customers. It seems like BP, ArcelorMittal,  
13 U.S. Steel, NLMK steel, and Praxair are five of the large  
14 industrial customers that are on NIPSCO's system, and all  
15 five of them have been showing profitability recently  
16 especially.

17           I checked on-line just today, and Praxair in 2017  
18 was considered the most profitable industrial gas company.  
19 We've seen in the news that U.S. Steel and BP both were  
20 profitable as well, and ArcelorMittal is doing just fine.  
21 I find it very upsetting that they would expect the rest of  
22 us ratepayers in their territory to foot the bill while  
23 they're reaping these rewards.

24           We already make a tremendous sacrifice living in  
25 this area. Many of us -- My father was a steelworker; my

1 grandfather was a steelworker as well, both at U.S. Steel,  
2 and they understood it was a trade-off to be steelworkers  
3 and get decent money to have decent lives for their  
4 families. They were thinking about future generations like  
5 their own children and their grandchildren later, and I'm  
6 sure steelworkers and the rest of the union folks and  
7 everybody else in this area greatly benefits from this  
8 industry being here, but we do realize it's a sacrifice.

9           We sacrificed some of our land, our beautiful  
10 lakefront. We sacrificed time like when my dad couldn't  
11 come to a Little League game when I was a kid or they  
12 sacrificed their health where they had shortened  
13 retirements often, although not always, thankfully.

14           So I don't understand how these large, profitable  
15 corporations can dump this on us once again. We are tied  
16 to these industries and their success, but they rely on us  
17 and our communities as well to provide the workers and to  
18 provide all the support for those workers who go in and do  
19 that dirty business on a daily basis for their entire  
20 careers often.

21           So I'm seriously disappointed that industrial  
22 customers in NIPSCO's service territory would attempt to  
23 strong-arm NIPSCO as it appears; although, I couldn't say  
24 for certain because I haven't been at the table during  
25 these discussions.

1           I would like to say that I've checked each of  
2 those five corporations that I've previously mentioned who  
3 also provide sustainability reports where they do the  
4 accounting not just for their economic benefits of their  
5 company which would be reflected on their quarterly  
6 financial reports but they also look at their environmental  
7 and social impacts in the community, and they report out on  
8 them. NIPSCO also does it. They try to keep data to show  
9 where they stand when it comes to not just the economics  
10 but the environmental and social initiatives and work to  
11 improve it on a regular basis.

12           Now, I didn't see anything like this mentioned in  
13 those reports where they would be willing to pay a lower  
14 rate so that the rest of us would have to pay a higher  
15 rate. It seems contrary to the very nature of  
16 sustainability and the reporting thereof; so I would just  
17 like to add that to the record as well.

18           Thank you very much.

19 Q       Thank you very much, sir.

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**(WITNESS DAVID WORONECKI-ELLIS EXCUSED)**

1           MR. REED: Your Honor, the Public calls its next  
2 witness Teddiam Jackson.

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4 **TEDDIAM JACKSON**, a witness appearing on behalf of the  
5           Public, having been first duly sworn,  
6           testified as follows:

7

8 **DIRECT EXAMINATION,**

9           **QUESTIONS BY MR. REED:**

10 Q       Good evening, sir.

11 A       Good evening.

12 Q       Can you spell your last name for me?

13 A       Yes, sir.

14           It is J-a-c-k-s-o-n.

15 Q       And maybe you can help me out because I was having a  
16 little bit of trouble reading it, could you also spell your  
17 first name for me?

18 A       Yes, sir.

19           T-e-d-d-i-a-m.

20 Q       Very good. Thank you very much, sir.

21           Please go ahead.

22 A       Thanks for having me. Good evening to everyone in  
23 attendance. I am here today representing myself as a  
24 resident, as a small business owner, and as a collection of  
25 the Downtown Hobart Business Coalition and the Hobart

1 Chamber of Commerce of which I am a serving Board member.

2           In recent years, the costs of primary sources for  
3 energy generation have either plateaued or decreased. In  
4 any other industry, this would mean a reduction in the cost  
5 of the finished product. NIPSCO is an exception to this  
6 rule.

7           Not only is this rate hike proposal unfair but  
8 also appears grossly miscalculated as the parties, not just  
9 NIPSCO, which would benefit from this rate hike the most  
10 have just experienced record profits in the just concluded  
11 fiscal year and are projecting even greater numbers year  
12 over year at the end of the current fiscal year at the  
13 current rates. This is compounded by additional savings  
14 experienced from recent tax breaks.

15           On the contrary, many northwest Indiana citizens,  
16 of which Hobart is no exception, are going through a  
17 rebirth stage. This, therefore, means that the average  
18 business is less than three-years old. In our Hobart  
19 downtown, the average age of six out of every ten business  
20 is just two-years old. This means we are going through the  
21 first five years, the make-or-break years. There are other  
22 economic zones which are even much younger.

23           How could such a move affect such concentrated  
24 and fragile economic pockets? Has there been a study on  
25 the ratio of actual customers to monthly shut-off notices,

1 and if so, what percentage of those result in actual  
2 shut-offs?

3           Additionally, it would be fair for us to say that  
4 the actual shut-off rate will only increase with such a  
5 drastic and unwarranted rate hike, and since the average  
6 consumer cannot increase their resources as NIPSCO is  
7 proposing, how many additional families and/or businesses  
8 will we be okay with classifying as collateral damage?

9           Hypothetically, if this rate hike were granted,  
10 could it put small businesses and by extension families in  
11 jeopardy? On the other hand, if it weren't granted, would  
12 it put NIPSCO and other beneficiaries in financial  
13 jeopardy, keeping in mind NIPSCO and other proposed  
14 beneficiaries just experienced a record profit year  
15 utilizing the current rates?

16           Thanks for your time, and I hope you take this  
17 under strong consideration.

18           Thank you.

19 Q       Thank you very much, sir.

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**(WITNESS TEDDIAM JACKSON EXCUSED)**

1 MR. REED: Your Honor, the Public calls its next  
2 witness Mr. Michael Pennanen or Pennanen?

3 Have I got that right, sir?

4 WITNESS MICHAEL PENNANEN: The second time.

5 MR. REED: Very good.

6 Thank you, sir.

7

8 **MICHAEL PENNANEN**, a witness appearing on behalf of the  
9 Public, having been first duly sworn,  
10 testified as follows:

11

12 **DIRECT EXAMINATION,**

13 **QUESTIONS BY MR. REED:**

14 Q Good evening, sir.

15 A Good evening.

16 Q Can I have you, please, spell your last name for the  
17 Court Reporter?

18 A P as in Peter, e-n-n-a-n-e-n; all Ns as in Nancy.

19 Q Thank you very much, sir.

20 Please go ahead.

21 A Thank you for giving me the opportunity to share my  
22 concerns with you. Thank you for taking the time to hear  
23 all of us as we have a great deal to share with you.

24 I am a Pastor of a congregation in Hammond, and  
25 like others who have spoken before me here this evening, I

1 have what's called a discretionary fund, a Pastor's  
2 discretionary fund, to help people out, and I'd like to  
3 take a few moments to share my experience of the extent of  
4 need in Hammond and around us for people particularly as  
5 they struggle with their NIPSCO bills.

6           I collaborate with another agency that screens  
7 these people first, and the reason I mention that is  
8 because this is a way of ensuring that the same people  
9 don't keep coming back for help. So as I share some  
10 numbers here, these -- in my four years of experience as a  
11 Pastor, they reflect very few repeat customers, so to  
12 speak, but continually new people coming for help.

13           Generally when people call me for assistance,  
14 their bills with NIPSCO are between say \$200 and \$400,  
15 sometimes more than that, and just to give you a little  
16 illustration of my experience with them, in 2017, I helped  
17 74 people for a total of \$2,300 given in assistance to  
18 them, but during many of those months, I was turning people  
19 away because I was running out of funds; I was running out  
20 of the monthly allotment I had set aside for them.

21           So when 2018 approached, I asked my church  
22 leadership if they could give me a larger allowance to help  
23 people, and I found that I was still running out of funds  
24 in those first months of 2018 until I came to them and  
25 asked if we could enlarge the allowance still more, and

1 finally with a generous allowance at some sacrifice to the  
2 congregation, I could finally begin meeting the needs of  
3 people who were coming to me.

4           So it turned out that in 2018, I gave \$4,600 to  
5 at least 150 people, and most of them were from Hammond,  
6 but indeed, there were still some from Highland, Griffith,  
7 Dyer, and Munster. Other churches were giving even more  
8 than I was able to, but it was enough to give me a sense of  
9 how much need there is in the area.

10           I've just been giving numbers, but, of course, as  
11 you well know, there are faces behind those numbers, and as  
12 I was being called on the phone, for me they were voices,  
13 and I was hearing about families with children; I was  
14 hearing about people who were disabled and could not work,  
15 hearing about people who were elderly and perhaps not able  
16 to work any more or at least, as has been mentioned  
17 tonight, often on a fixed income.

18           I do appreciate the programs that NIPSCO has to  
19 assist people in need, but I would think that it would be  
20 better still if we could address the problem at the front  
21 end; that is, the amount that's charged to people for their  
22 utilities. There are a lot of people already struggling  
23 here, and no one wants to see still more hardship in this  
24 region in which we live.

25           Thank you, and may you have God's guidance on the

1 decision you face.

2 Q Thank you, Pastor.

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**(WITNESS MICHAEL PENNANEN EXCUSED)**

1           MR. REED: Your Honor, the Public calls its next  
2 witness Mr. Ron Matlock.

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4 **RON MATLOCK**, a witness appearing on behalf of the Public,  
5           having been first duly sworn, testified as  
6           follows:

7

8 **DIRECT EXAMINATION,**

9           **QUESTIONS BY MR. REED:**

10 Q       Good evening, sir.

11 A       Good evening.

12 Q       Can I have you spell your last name for me, please?

13 A       M-a-t-l-o-c-k --

14 Q       Thank you very much.

15 A       -- as on television.

16 Q       Please go right ahead.

17 A       First of all, as was indicated, my name is  
18 Ron Matlock. I am a Precinct Committeeman in the City of  
19 Gary for the last 20 years. I'm also a former Calumet  
20 Township Trustee Board Member. I served two terms and was  
21 Chairman of that Board.

22           I'm also a landlord. I rent four units --  
23 households which pay rent, and as a former Member of the  
24 Township Board, the last term -- the last year I was on  
25 that Board, we spent \$1 million representing the people who

1 could not afford to pay their utilities. So we struggle --  
2 we struggle with that effort of paying NIPSCO over a  
3 million dollars which should have gone toward helping the  
4 indigent; that did not happen.

5           A portion -- As a landowner, I witnessed one of  
6 my tenant's utilities were cut off. She has five children,  
7 and this was supposed to have been in a situation where a  
8 moratorium was -- I guess October to February or March,  
9 there should have been a moratorium. I was called by the  
10 tenant next door indicating, are you aware that there is  
11 five kids and a little one coming next door say they don't  
12 have heat? Well, they had to get that back on. So what I  
13 did, I went in my pocket and say, here, pay your NIPSCO  
14 bill because not only for your children are endangered, my  
15 utilities -- those utilities being off, pipes could be  
16 bursting. I can't have it. Sometimes if I have a vacancy,  
17 I keep utilities on. So it caused a hardship for those  
18 kinds of people.

19           I just think not only -- not only in a church --  
20 as a church member -- I'm a member of Christ United  
21 Methodist Church, and we have a very small church, and  
22 right now, I think my pastor said there was like \$1,800 to  
23 \$2,000 this last month, and he said we might have to close  
24 the doors -- this is a non-profit organization -- we might  
25 have to close the doors because basically we got maybe

1 50 members, and you might say that half of those people are  
2 senior citizens on fixed income.

3           Unemployment and under-employment in our  
4 community is extremely high. People are moving out because  
5 they simply cannot pay their utilities. You know,  
6 something is wrong with that picture, and I said to them,  
7 my tenants: Why would you -- I was talking to a  
8 representative of NIPSCO, and he said: Why didn't -- Why  
9 didn't you call us? Well, I shouldn't have to call you.  
10 When you seen those five little kids in a house with no  
11 heat, I shouldn't have to call you. You should have told  
12 the people don't turn that power off.

13           So I'm just simply saying: I ask this Commission  
14 to say to NIPSCO no rate hike, and to add insult to injury,  
15 when you say we're going to give U.S. Steel, ArcelorMittal,  
16 and some of the rest of the big corporations, a 19 percent  
17 rate hike -- I mean a reduction, something is wrong with  
18 that picture; turn that around.

19           So I just ask you all to have some compassion for  
20 the people because NIPSCO -- And I must say that there are  
21 other agencies that I am affiliated with which I will not  
22 even call their name for fear of, you know, retaliation,  
23 but it's sad, and right now, don't keep coming to us every  
24 year. I understand they had a rate hike about two or three  
25 years ago. I was not aware of that. So if you want -- if

1 you want 12 percent, you know, just take it; get it all at  
2 one time. You know, stop playing with us like that.

3 You're playing with people, and we can't afford it.

4           Some of the people -- I'm very blessed and  
5 fortunate to not have a problem paying that bill. I worked  
6 36 years in the industry and was involved in the Township  
7 Board.

8           We in Gary, Indiana -- Like I say, there's a lot  
9 of abandoned structures here, and a lot of it has to do  
10 with people just simply cannot pay. You know, it's heat or  
11 eat, and I think they would choose eating.

12           Thank you very much.

13 Q       Thank you, sir.

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**(WITNESS RON MATLOCK EXCUSED)**

1           MR. REED: Your Honor, the Public calls its next  
2 witness Mr. Carl Ploense, III.

3           Your Honor, the record should reflect that no one  
4 is approaching the podium, and so we will move to our next  
5 witness.

6           The Public next calls Mr. Robert Buggs, Sr.

7

8 **ROBERT BUGGS, SR.**, a witness appearing on behalf of the  
9           Public, having been first duly sworn,  
10           testified as follows:

11

12 **DIRECT EXAMINATION,**

13           **QUESTIONS BY MR. REED:**

14 A        Good evening, Commissioners.

15 Q        Good evening, sir.

16            Could you spell your last name for me, please?

17 A        B-u-g-g-s.

18 Q        Thank you very much, sir.

19            Please go right ahead.

20 A        Thank you very much.

21            I'm going to be wearing three hats tonight, one  
22 is the Gary Branch of the NAACP; my fraternity, the Kappa  
23 Alpha Psi, which is an advocate for the best interest of  
24 the public, and lastly, veterans, especially disabled  
25 veterans and senior citizens.

1           Now, as for the NAACP, representing -- speaking  
2 for the residents of Gary, I'm a little bit appalled that  
3 the State of Indiana would disregard the significant amount  
4 of money that we pay for our utilities; yet, we are not  
5 represented. I know it's not you all's fault, and this is  
6 not against you all. This just shows you that you can  
7 imagine how you would feel if you were standing here and  
8 everyone up there was black.

9           There are 70,000 people in Gary, and we pay a lot  
10 of money in utility bills, but yet, we're not represented,  
11 but that's from the State. That's what the State thinks  
12 about us. Also, there's not much difference in the  
13 population of Hammond and Gary. There's at least 70,000  
14 people in Gary, but every time there's a hearing, we have  
15 to go outside of Gary to speak, and I think -- I'm having a  
16 little problem with that.

17           The other thing is it's been established tonight  
18 that this rate increase is allegedly because the steel  
19 mills and the big corporate partners might be considering  
20 having their own power source; so NIPSCO might give them  
21 the 19 percent decrease. Now, that's what I heard, but I  
22 didn't hear it from the steel mills; I heard it from  
23 NIPSCO, and I don't know what NIPSCO tells you all why  
24 they're doing this, and then to have us, the citizens, the  
25 backs of the disabled, the poor, the unemployed, to try to

1 make up that gap is really, really -- it's appalling that  
2 that would happen.

3           Now, I don't know -- I know -- Before -- I came  
4 before Commissions in Gary many, many, many years ago, and  
5 some of the Commissioners went to sleep, and by the time  
6 they got back to Indianapolis, the decision was already  
7 made. I don't know how you all make your decision. NIPSCO  
8 is a public utility. U.S. Steel is private, for profit. I  
9 don't know whether you all look for the best interest of  
10 the public since it is a public utility or the private  
11 corporate millionaires.

12           Now, I don't like to complain, but when you are  
13 speaking with somebody -- You know, I'm a disabled veteran,  
14 and there are a lot of other veterans, some disabled and  
15 some not disabled, but they're senior citizens. We don't  
16 get a cost of living increase; we don't. So every time the  
17 cost of living goes up, the income that we get which is  
18 fixed goes down. When NIPSCO goes up, we still are at that  
19 same level, and there are other utilities like our water  
20 bill, food, gas for your vehicle, and everything.

21           So I know that you all are not supposed to take  
22 into consideration each household's economic status; that's  
23 not what you're here for. You're supposed to regulate the  
24 utilities. In this case, I think it needs regulating  
25 because they are way, way out-of-bounds.

1           So I would just simply ask you all to do your job  
2 with compassion. Think about those senior citizens that --  
3 me, for example, and other veterans that put their life on  
4 the line for this country and come home and work and are on  
5 a fixed income just barely trying to make it for the few  
6 years that we have left on this earth, and here some giant  
7 utility -- It's almost like -- like you're all in the Roman  
8 Cathedral, and NIPSCO is the big lion, and we're the little  
9 Christians, and you just throw us out there.

10           I mean, nobody speaks for us but you all, and the  
11 government chose that people of my color don't need to be  
12 represented; although, we pay a substantial amount of  
13 money, and that's wrong, but I didn't come here to talk  
14 about that. I came here to talk about because of the  
15 reason that NIPSCO gave you all, and that is very weak.

16           Now, they said in the newspaper that this rate  
17 increase would help expedite the closing of a utility in  
18 Michigan City which is scheduled to close somewhere around  
19 2024 or 2028. That's not written in stone. Also, I don't  
20 believe that the steel mills said that. If they're going  
21 to go to their own power source, they would have done it,  
22 and if NIPSCO is giving them a 19 percent decrease to keep  
23 them from doing it, what assurances do we have that they're  
24 not going to do it anyway, but in the meantime, if you pass  
25 this, we still stuck with it. If they're going to close a

1 utility four years from now or eight years from now, look  
2 how much money they would have gotten from us by then.

3           You know, we don't have the corporate lawyers.  
4 We don't have anything. The only thing we have is you all  
5 to regulate the big guys that's making all the decisions,  
6 and it's wrong; it is absolutely wrong.

7           I said I came here wearing three hats tonight.  
8 The one I know that you all -- You know, I'm speaking for  
9 the NAACP, and there's a lot of people that's dependent  
10 on -- And another thing I want to mention is we get  
11 disconnected more so in Gary as compared to I would say  
12 Crown Point and some other surrounding cities. We're  
13 disconnected right away. I've been a victim of it so I can  
14 speak for myself. Can you imagine the money that they make  
15 on the reconnection fees?

16           While we're talking about fees, could somebody  
17 please tell me the difference between transportation and  
18 delivery? How can you not deliver something unless you  
19 transport it? There are two different fees on our bill,  
20 and nobody questions it, and so we're paying it. All these  
21 little hidden nuances, that's wrong.

22           So I would just ask you all today to think about  
23 the reality of it. Like I said before, I don't mean to be  
24 repetitive, you all are not up here to try to adjust and  
25 make your decision based on an individual household income

1 or their circumstances but merely to regulate the utilities  
2 when you think they're getting a bit obsessive and out of  
3 hand, and this is a clear-cut case of that, and I would  
4 hope that you all would think about the senior citizens and  
5 think about their income and think about most importantly  
6 the ethics and how fair it is to us.

7           Thank you very much.

8 Q       Thank you very much, sir.

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**(WITNESS ROBERT BUGGS, SR. EXCUSED)**

1           MR. REED: Your Honor, the Public calls its next  
2 witness Mr. Michael Griffin.

3

4 **MICHAEL GRIFFIN**, a witness appearing on behalf of the  
5           Public, having been first duly sworn,  
6           testified as follows:

7

8 **DIRECT EXAMINATION,**

9           **QUESTIONS BY MR. REED:**

10 Q       Good evening, sir.

11 A       Good evening to you, Counselor.

12           I appreciate being invited.

13           Did you need anything further from me with regard  
14 to what I filed with you?

15 Q       I'm sorry, sir?

16 A       Is my name spelled properly?

17           Do you need anything further?

18 Q       If I could have you state and spell it for the record,  
19 that would be even better.

20 A       It would be my pleasure.

21           My name is Michael Griffin, G-r-i-f-f-i-n. I am  
22 the Clerk-Treasurer of the Town of Highland. I'm here  
23 representing both that, the interest of the municipal  
24 government, and particularly those eight municipal  
25 governments that we sometimes call ourselves IMUG, the

1 Indiana Municipal Utility Group, and I'm here representing  
2 the Town of Highland to speak to you tonight on this  
3 matter.

4           To begin with, Mr. Chairman, Your Honor, Judge,  
5 Members of the Commission, Commissioners, Counselor, and  
6 Staff, thank you very much. As everyone else has said, we  
7 are deeply grateful for the work that you do on our behalf,  
8 and we're deeply grateful that you've decided to leave  
9 Indianapolis and come to a place like this to hear our  
10 concerns about this proposed rate increase.

11           I won't add a great deal to what we've already  
12 filed with you. We have filed with you previously  
13 extensive written testimony much more technically able to  
14 speak to our general concerns. I'd like to highlight a few  
15 of those with you tonight that I think you should give  
16 strong consideration to, if you will.

17           Firstly, municipal governments. We're a little  
18 bit surprised about this element called resetting, and in  
19 the case of the NIPSCO request, the resetting basically  
20 would eliminate a tariff that I believe I testified in  
21 favor of two years ago before you in this very spot, and  
22 many of you might have been here, that introduced for the  
23 first time a tariff that recognized the lower cost and  
24 incentivized us to convert to LED lighting.

25           LED lighting is a great boon for us. Most of you

1 and your engineers know more than I can tell you, but it's  
2 got incredible illumination power, and it so vastly  
3 requires such a very low threshold of energy to operate.  
4 It's really been a boon for many of us in local government.

5           A number of our members have already converted  
6 streetlights along with NIPSCO-owned lights to use that  
7 power -- that kind of light emission, and the power of  
8 streetlights to do the kinds of things that improve the  
9 quality of life for residents of communities is no small  
10 thing, and in the evolution of municipal governments, you  
11 know that the introduction of lighted streets first by gas  
12 and later by electric light and now this kind of light has  
13 reduced crime rates considerably because we essentially  
14 took away the advantage of a profoundly dark night and made  
15 the daytime and the nighttime alike simply by having that;  
16 so that's an important element of the service we provide.

17           To allow them to eliminate this tariff in the  
18 interest of their filed interests for the rate that they've  
19 sought -- By the way, we do also associate ourselves with  
20 the recommendations of the Office of the Utility Consumer  
21 Commission -- Counselor, I beg your pardon. We appreciate  
22 very much what they're saying, and we do appreciate -- we  
23 associate ourselves with many of the recommendations that  
24 are offered in their recommendations to you.

25           We hope that when you're considering all of the

1 interests that have to be balanced, the statutory ones of  
2 balancing the interest of the utility itself and their  
3 needs as well as the ratepayer, we hope that in this  
4 particular case with the LED, that you kind of have the  
5 ratepayer being hit twice.

6           First, they are faced with the prospect of this  
7 12 percent increase as a resident, and they also contribute  
8 to the operation of their municipal government for their  
9 good, their public good, and we're faced with the loss of  
10 being able to have that special tariff that incentivized us  
11 to try to lower our cost of operations which at one time  
12 NIPSCO had stated was in their operational interest as  
13 well.

14           I realize that that changed their basis for fixed  
15 costs, but in the end, it was in all of our interests to  
16 lower the amount of energy consumption, find more  
17 ecological ways to do the kinds of things we need to do for  
18 our quality of life, and, again, the utilities served --  
19 their interests were also served by that as well.

20           So, again, I just want to restate our opposition  
21 to the rate increase petition that has been provided by  
22 NIPSCO, its desire to have that; to reassociate ourselves  
23 with the testimony that was filed on behalf of the eight  
24 communities, which are Dyer, East Chicago, Griffith,  
25 Highland, Munster, Schererville, Valparaiso, and Winfield,

1 in that technical matter before you; to also associate  
2 ourselves with many of the recommendations that the Office  
3 of Utility Consumer Counselor offered to you, and, again,  
4 ask that you pay special attention to the impact of this  
5 reset that eliminates this wonderful tariff that we asked  
6 for that gave us a lower rate for those kinds of  
7 streetlights that we will lose at least in the interim if  
8 this is adopted as it has been requested for by NIPSCO.

9           Again, I thank you all for your time, for your  
10 patience, for your attention to us given the hour. I know  
11 you are on a different hour, and I know you were bid  
12 traveling mercies by a provident God to bring you here. I  
13 hope he grants you those again as you depart but not sooner  
14 than you've heard from all of us.

15           Thank you.

16 Q       Thank you, sir.

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**(WITNESS MICHAEL GRIFFIN EXCUSED)**

1 MR. REED: Your Honor, the Public calls its next  
2 witness Mr. Will Miller.

3 Mr. Miller?

4 Very good.

5

6 **WILL MILLER**, a witness appearing on behalf of the Public,  
7 having been first duly sworn, testified as  
8 follows:

9

10 **DIRECT EXAMINATION,**

11 **QUESTIONS BY MR. REED:**

12 Q Good evening, sir.

13 A Good evening.

14 How are you doing?

15 Q I'm doing great.

16 Can you spell your last name for me, sir?

17 A Yes.

18 First name Will, also Willie. Last name Miller,  
19 M-i-l-l-e-r.

20 Q Thank you very much, sir.

21 Please go ahead.

22 A Thank you.

23 Thank you for the time. Thank you for being here  
24 to have a great conversation with us.

25 Just to let you know who I am, I'm an Executive

1 Board Member of the NAACP, and in addition to that, I'm an  
2 individual that has started block clubs where I live,  
3 definitely involved in the community. As you see, I'm not  
4 suited because I actually coach children, and not just  
5 children, but some collegiate athletes and a lot of great  
6 things, a lot of great players. I've got one at Purdue  
7 right now. So our region and connection with looking-  
8 forward thinking and getting our children where they need  
9 to be is definitely on point.

10           I just wanted to start off by giving you all  
11 kudos because years back when I started my block club, one  
12 of the best first events we had was having one of your  
13 representatives come out and give a breakdown and  
14 understanding of how light poles are set up, how the  
15 medallions are on them, and how you can -- if the light is  
16 out, how you can give good feedback, and once we were able  
17 to do that, some lights would blink on and off, but we were  
18 able to verify what was good, what was bad, and that  
19 insight connection with the community yielded better  
20 outcomes.

21           We also started the block club because there was  
22 a rash of robberies in the community. Well, guess what?  
23 When you shed light on something, good things happen. We  
24 were actually able to catch an individual and stop a rash  
25 of robberies in our community, and that's partly because of

1 the connection with your representatives and knowing more  
2 about the illumination in our community, and so I wanted to  
3 start off with kudos there.

4           Now, this is also about -- it's about NIPSCO.  
5 It's about you all and your relationship with the  
6 community. Would you agree?

7           THE COURT: Mr. Miller, we're not allowed to  
8 respond. I'm sorry.

9           WITNESS MILLER: Oh, I thought we were having --  
10 I thought it was a general conversation.

11 Q       Sorry about that, Mr. Miller, I was writing.

12           The Commission will not -- is not allowed to  
13 respond to customers' questions at this point.

14 A       Okay.

15 Q       This is a forum for you to bring your opinion to the  
16 Commission and let them hear what you have to say, but  
17 they're not in a position to be able to respond to direct  
18 questions from customers at this point.

19 A       Great.

20 Q       It's sort of like if you were in a trial, you wouldn't  
21 ask the judge a question.

22           So if you have more comments, please, sir,  
23 continue.

24 A       I was dealing with it as great conversation, and that  
25 would, you know, kind of get us in a better relationship

1 because I look at the bottom line of the numbers, and --  
2 I'm also a Business Professor. I teach with Oakland City  
3 University. In the past, I taught at DeVry Advantage  
4 Academy, and I've seen a lot of different careers start.

5           At the particular job that I work right now as a  
6 Professor, it's master student/master employee, and so  
7 these gentlemen that are coming back into our society  
8 through the state -- it's a great program -- they end up  
9 taking a test, and they actually get an opportunity if they  
10 do well to have a Certificate of Readiness. It's a great  
11 opportunity.

12           In addition to that, when I worked at DeVry  
13 University, some of those young men and women that were  
14 only in high school were receiving their Associate's Degree  
15 in Network Systems Administration and in addition to that  
16 Web Graphic Design.

17           I'm setting you guys up here because what I see  
18 is -- to me, I think you're better than this approach of  
19 the price hike, and you're missing some of your greatest  
20 assets and greatest approaches with these people who are  
21 going to the community and looking for the correct  
22 approach.

23           I think the best thing that you could do right  
24 now is to take a step back and tap into deeper  
25 relationships in the community, relationships with NAACP,

1 relationships with the Legislature, relationships that  
2 could yield better funding as a group for your actual  
3 changes because innovation is coming.

4           There are predictions where jobs are really going  
5 to decrease, and I was looking at some statistics as I was  
6 sitting back there. I didn't do a lot of research. I just  
7 knew there was a conversation that I wanted to have with  
8 you all.

9           The economy in Gary, Indiana has an unemployment  
10 rate of 7.2. The U.S. average is 3.9; okay? This is basic  
11 stuff you can pull up. Gary has seen the job market  
12 increase by 1.2 over the last year. Hooray, that's good;  
13 right? The future job growth over the next ten years is  
14 predicted to be 24.1 percent which is lower than the  
15 U.S. average; okay? The U.S. average is 33.5 percent.

16           Remember, I'm a Business Professor so I'm not  
17 going to come here and say: Oh, you should do this for  
18 my [inaudible]. No, no, that's not your bottom line.  
19 That's not how you stay in business. You stay in business  
20 by making sure you have decisions that will make money  
21 short term and long term. That's really why you're here.  
22 You're here to make money; I agree. We need you to make  
23 money so that you can actually be efficient in providing  
24 utilities as a public utility company.

25           The tax rates for Gary. The sales tax rate for

1 Gary is 7 percent. The U.S. average is 7.3. The income  
2 tax rate for Gary is 3.2. The U.S. average is 4.6. That's  
3 kind of because the median income is so terrible, and  
4 that's coming down. I'm going to skip down to it. The  
5 increment salaries for Gary -- and these are the people you  
6 want to go up in terms of charging more -- the income of a  
7 Gary resident is \$15,983 a year. The U.S. average is  
8 \$28,555 a year. The median household of a Gary resident is  
9 \$27,458 a year. The U.S. average is \$53,482 a year. I  
10 don't think you can get blood out of a turnip.

11           Back years ago -- and this is just from general  
12 research and things that I've read to strengthen my  
13 business background, professor, just knowledge -- I read  
14 stories about how business owners who were farmers were  
15 having problems with their crops, and how does that relate?

16           Well, crops are the output. You have to  
17 continually have that bottom line. The crops were failing  
18 in the South, and at certain times, some crops would not  
19 produce the way they should. A perfect example: You're  
20 not getting the money from the vacant housing that's in  
21 Gary, and so, guess what? There needs to be more  
22 production; that's true. You need to have more income;  
23 that's true.

24           What happened in the South was they took a step  
25 back and went deeper into that community; okay? By going

1 deeper, they had conversations with George Washington  
2 Carver. Wow, we know him; he's the peanut guy. Hey,  
3 that's funny. The bottom line was he was able to give them  
4 more feedback about crop -- in relationship to crop  
5 rotation. Long term, the crops were more productive -- the  
6 crops were more productive as a result of the research and  
7 the depth of a relationship.

8           Sometimes it is hard as a utility if you don't  
9 have the correct relationships because you actually don't  
10 know how well your representatives have dived into the  
11 community in terms of being connected with the legislation  
12 that could possibly produce various bills that relate to  
13 additional training to provide you with the correct type of  
14 workforce and in addition the transition for all of those  
15 coal plants and other plants that need to be updated way  
16 down the line when your children and your grandchildren are  
17 either in these types of jobs or using the utility  
18 themselves.

19           So I'm saying this not to say that we don't  
20 really appreciate you all, but there is a different  
21 approach that you could take, and it probably would be a  
22 lot more productive, effective, efficient, and probably  
23 happier in strengthening your relationship.

24           So I'm saying that we need to have deeper  
25 relationships. We need to have a think tank. We need to

1 have the conversation through your representatives in the  
2 community to not only support you in those changes but  
3 craft legislation and craft a plan that uses some monies  
4 that are already there such as the next generation jobs  
5 that are already in place here; it's already in place.

6           In adding more to it, it could have a lot of  
7 positive feedback which means that people are paying you  
8 happily. Those same people -- Instead of these predictions  
9 being at one number because we're isolating them and  
10 looking at each community trying to make sure those people  
11 have jobs, you're producing the right type of soil so the  
12 crops can be more effective.

13           You actually get more steady income. Your  
14 cut-off notices are reduced. The paper outlay that you  
15 have to send out to families that really aren't strong in  
16 terms of technology suddenly changes because everyone wants  
17 to get an on-line bill because they don't have time because  
18 they're working. Instead of the young lady working and  
19 then running to get assistance, which nobody wants to stand  
20 in those lines after they've worked all day, now that  
21 person has another -- a new technology job instead of  
22 working a basic, low income and other low to medium income  
23 job, and you changed the atmosphere.

24           So you are a product of change and a product of  
25 real positive outcomes, and your bottom line is met and is

1 stronger long term.

2           That's just about it. I know I'm long winded,  
3 but I think it's important to know that you've done some  
4 great things. In addition to that, I think there's some  
5 relationships that could help you get what you're looking  
6 for and strengthen your future.

7           Thank you.

8 Q       Thank you very much, Mr. Miller.

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**(WITNESS WILL MILLER EXCUSED)**

1           MR. REED: Is there anyone here who has not  
2 provided me a form who wishes to speak?

3           Your Honor, the record should reflect that -- I'm  
4 sorry, sir, did I see a hand raised? If so, please come  
5 down.

6

7 **GARY RAPOPORT**, a witness appearing on behalf of the Public,  
8           having been first duly sworn, testified as  
9           follows:

10

11 **DIRECT EXAMINATION,**

12         **QUESTIONS BY MR. REED:**

13 Q       Good evening, sir.

14 A       Good evening.

15 Q       Sir, I don't have any information about you. I don't  
16 have an appearance form, and so I need you very slowly to  
17 spell your first and last name for me, please.

18 A       My name is Gary Rapoport.

19 Q       And can you spell Rapoport for me?

20 A       Yes.

21                 R-a-p-o-p-o-r-t.

22 Q       Sir, can you tell me if you are a NIPSCO customer?

23 A       Yes.

24 Q       Thank you very much.

25                 Finally, sir, can you tell me if you were sworn

1 in by the Judge earlier this evening?

2 A Yes, I was.

3 Q Very good.

4 Thank you very much, sir.

5 Go ahead.

6 A I've been here since early in the evening, and I did  
7 turn in the paper at the front desk when I came in, but --

8 Q I apologize, sir --

9 A It's okay.

10 Q -- that must be my mistake.

11 Please go right ahead.

12 A I'll be happy to do that.

13 I would like to raise the question of: Is this  
14 hike moral? I know you can't answer, but you can think  
15 about it. I would like you to consider the morality of  
16 this raise carefully.

17 I am a member of Temple Israel, the social action  
18 committee, and we have -- we feel that the community that  
19 we live in is very diverse, and this is an unfair raise,  
20 and it unfairly affects people. We would like -- We would  
21 like to see this dealt with in a fair and equitable manner  
22 where it does not harm poor people. It seems like it's  
23 targeting the poorest citizens among us, and that's a very  
24 dangerous thing to do, and I want you to consider the  
25 impact of your decision as a moral decision carefully.

1           I thank you for coming and hearing -- I mean, you  
2 all stayed late, and it wasn't an easy hearing, but you did  
3 hear us, and your ears are open, and I do thank you for  
4 that, and that is all I have to say.

5 Q       Thank you, sir.

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**(WITNESS GARY RAPOPORT EXCUSED)**

1 MR. REED: Is there anyone else who I might have  
2 missed who would like to speak tonight who has not yet been  
3 called?

4 Your Honor, the record should reflect that no one  
5 has indicated they still wish to speak; therefore, I have  
6 one further witness Ms. Megan Lagestee. Her first name is  
7 spelled M-e-g-a-n. Her last name is spelled  
8 L-a-g-e-s-t-e-e. She has submitted written comments, and I  
9 will include those as a portion of Public's Field Hearing  
10 Exhibit No. 1 which I would now offer.

11 I also would ask the Commission for permission to  
12 file any additional comments that my office receives before  
13 the close of business on Wednesday, March 13th.

14 THE COURT: Thank you.

15 Are there any objections?

16 MS. WASHBURN: No, Your Honor.

17 MR. EARLE: No, Your Honor.

18 THE COURT: Thank you.

19 The Public's Exhibit Field Hearing 1 is admitted  
20 into the record of this cause without objection.

21

22 (PUBLIC'S EXHIBIT NO. FH-1, CONSISTING OF THE  
23 PUBLIC QUESTIONNAIRES AND ALL ATTACHMENTS THERETO  
24 RECEIVED AT THE PUBLIC FIELD HEARING, ADMITTED  
25 INTO EVIDENCE.)

1 THE COURT: Based on a conversation with the  
2 other Presiding Officers, the Office of Utility Consumer  
3 Counselor is permitted to file any written comments on or  
4 before Wednesday.

5 MR. REED: Thank you, Your Honor.

6 THE COURT: Thank you, everybody, for your  
7 participation in this public Field Hearing. We know it's  
8 been long, but we really appreciate your patience, and we  
9 value this time together.

10 Also, thank you to Hammond High School for  
11 setting up these accommodations for us.

12 This proceeding is now continued until the  
13 evidentiary hearing scheduled for April 16th, 2019 in  
14 Indianapolis, Indiana.

15 Let's go off the record.

16

17

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19

20 (FIELD HEARING ADJOURNED)

21

22

23 (EVIDENTIARY HEARING SET TO COMMENCE ON APRIL 16, 2019  
24 AT 9:30 A.M. (EDT) IN HEARING ROOM 222 OF THE PNC CENTER,  
25 INDIANAPOLIS, INDIANA)

	<b>8</b>	31/4 31/5 31/8 31/20 31/22 31/24 32/4 35/25 36/15 37/9 37/14 39/10 40/5 42/8 44/14 44/20 45/20 49/2 49/4 50/23
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