

ORIGINAL

Commissioner	Yes	No	Not Participating
Huston	√		
Freeman	√		
Veleta	√		
Ziegner	√		

**GENERAL ADMINISTRATIVE ORDER
OF THE INDIANA UTILITY REGULATORY COMMISSION
2023-03**

WHEREAS, on April 20, 2023, House Enrolled Act 1421 was signed into law by Governor Eric J. Holcomb;


WHEREAS, House Enrolled Act 1421 amended Indiana Code § 8-1-8.5-5, which requires the Indiana Utility Regulatory Commission (“Commission” or “IURC”) to issue an order on an application for a certificate of public convenience and necessity (“CPCN”) within 240 days from the filing of a complete case in chief for an electric generation CPCN;

WHEREAS, House Enrolled Act 1421 also provided that the Commission may issue a general administrative order to establish guidelines regarding the information to be included in the applicant's case in chief;

WHEREAS, the Commission has determined that a standard procedural schedule will help assure that CPCN cases submitted under Indiana Code chapter 8-1-8.5 will be completed within the 240-day timeframe;

WHEREAS, the Commission has further determined that recommending CPCN case best practices is in the public interest;

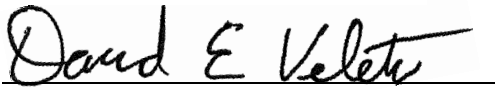
NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Electric Generation CPCN Guidelines, which are attached to this General Administrative Order as Appendix A, be adopted by this Commission.



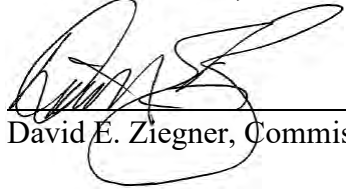
James F. Huston, Chairman



Sarah E. Freeman, Commissioner



David E. Veleta, Commissioner



David E. Ziegner, Commissioner

I hereby certify that the above is a true and correct copy of the resolution as approved.

Dana Kosco, Secretary of the Commission

Date: JUN 14 2023

APPENDIX A TO GAO 2023-03

ELECTRIC GENERATION CPCN GUIDELINES

The following guidelines apply to all applications for certificates of public convenience and necessity (“CPCN”) and related docketed proceedings of the Indiana Utility Regulatory Commission (“Commission” or “IURC”):

1) Notice of Intent to File

- a) Notice of a utility’s intent to file a CPCN application should be provided in a letter to the Secretary of the Commission at least 30 days prior to the expected date of the filing, thereby helping to avoid *ex parte* issues regarding a pending proceeding (see 170 IAC 1-1.5-2).
- b) The Commission also recommends that the utility provide notice to and meet with the Indiana Office of Utility Consumer Counselor (“OUCC”) and other anticipated intervenors prior to the filing of the utility’s CPCN application.

2) Case in Chief

- a) A utility applying for a CPCN bears the burden of proof and must submit sufficient evidence as part of its case in chief to satisfy its burden of proof.
- b) A utility’s case in chief must include sufficient evidence regarding, but not limited to, the following:
 - i) The items that the Commission must take into account, as listed in Indiana Code § 8-1-8.5-4(b);
 - ii) The findings that the Commission must make in order to approve the CPCN application, as listed in Indiana Code § 8-1-8.5-5(b) and -5(e);
- c) An index of issues shall be provided with the party’s case in chief if the party has at least six witnesses providing testimony and at least two of those witnesses provide testimony on the same issue or issues.

3) CPCN Standard Procedural Schedule (240 days)

Day (Week)	Filing/Event	Comments
Day 0	Application and Case in Chief Procedural Schedule	The 240-day timeline starts with the filing of a complete case in chief. Presiding Officers will issue a docket entry based on this standard schedule shortly after the case is assigned. If the Petitioner wants to propose a schedule different from this standard schedule, it should be filed separately with the initial case filing. The Commission strongly encourages the Petitioner to work with the OUCC and intervenors on an agreed-to schedule prior to filing.
Day 28 (week 4)	Prehearing Conference	If necessary. A prehearing conference order will supersede the initial docket entry.
Day 84 (week 12)	OUCC and Intervenor filing	
Day 105 (week 15)	Rebuttal filing	
Day 112 (week 16)	Settlement Agreement and supporting evidence	
Day 126 (week 18)	Evidentiary Hearing	
Day 140 (week 20)	Petitioner's proposed order	
Day 154 (week 22)	OUCC/Intervenor proposed order/exceptions	
Day 161 (week 23)	Petitioner's reply	
Day 240 (week 34)	Commission Order	