

ORIGINAL

Commissioner	Yes	No	Not Participating
Huston	√		
Freeman	√		
Krevda	√		
Ober	√		
Ziegner			√

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

**IN THE MATTER OF AN ORDER)
APPROVING UTILITY ARTICLES)
PURSUANT TO 170 IAC 1-6.)**

APPROVED: APR 06 2022

The Indiana Administrative Code provides for Thirty-Day Administrative Filing Procedures and Guidelines pursuant to the authority of Ind. Code 8-1-1-3 and Ind. Code 8-1-2-42. The thirty-day filing process is available for certain routine and non-controversial requests to facilitate expedited consideration of these matters by the Commission. The rule sets forth the requirements for the thirty-day administrative filings.

The thirty-day filings received pursuant to 170 IAC 1-6 and ripe for Commission action are attached hereto and collectively referred to as the Utility Articles. There are no controversial filings in the Utility Articles approved today.

Pursuant to the rule, the Commission Technical Divisions have submitted their recommendations to the Commission. Therefore, the Commission finds that the requirements of 170 IAC 1-6 have been met and that the Utility Articles attached are hereby approved.

HUSTON, FREEMAN, KREVDA, AND OBER CONCUR: ZIEGNER ABSENT:

APPROVED: APR 06 2022

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

Dana Kosco
Secretary of the Commission



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MEMORANDUM

TO: Commission Chairman James F. Huston
 Commissioners Freeman, Krevda, Ober, and Ziegner

FROM: Commission Technical Divisions

DATE: April 1, 2022

RE: 30-Day Utility Articles for Conference on *Wednesday April 6, 2022 @ 10:00 a.m.*

The following thirty-day filings have been submitted to the Commission. Each item was reviewed by the appropriate Commission Technical Divisions and all regulations were met in accordance with 170 IAC 1-6 Thirty-Day Administrative Filing Procedures and Guidelines. Therefore, the following filings listed below and attached hereto are recommended to be considered by the Commission at the next conference:

Attachment Number	30-Day Filing No.	Name of Utility Company	Type of Request	Date Received
1	50480	CWA Authority, Inc	Updating the definitions in its Terms and Conditions for Sewer Service to clarify the characteristics that make a customer an Industrial customer as opposed to a Nonindustrial customer.	2/2/2022
2	50484	Ellettsville Municipal Water Utility	Approval to increase the wholesale cost tracking factor	2/15/2022
3	50491	Northern Indiana Public Service Co. - Electric	Proposed revisions to update its energy and capacity rate schedule for purchases from cogeneration and small power production facilities	2/28/2022
4	50492	Southern Indiana Gas and Electric Co. - Electric	To approve proposed tariff sheet covering rates for purchase of energy and capacity	2/28/2022

Attachment Number	30-Day Filing No.	Name of Utility Company	Type of Request	Date Received
5	50493	Indianapolis Power & Light Company	Revision of Rate CGS - Cogeneration and Small Power Production 5th Revised No. 122	2/28/2022
6	50495	Green Acres Subdivision Sewer System, Inc.	To approve disconnection and reconnection fees to cover expenses of conducting collection efforts	3/3/2022
7	50498	Northern Indiana Public Service Co. - Gas	Revisions to the Index of Cities, Towns and Unincorporated Communities Furnished Gas Service of Northern Indiana Public Service Company LLC's ("NIPSCO") IURC Gas Service Tariff, Original Volume No. 8 ("Gas Tariff") to include the Town of Winfield	3/7/2022
8	50499	Northern Indiana Public Service Co. - Electric	Changes to Rider 883 – Adjustment of Charges for Demand Side Management Adjustment Mechanism (DSMA) allowing a Qualifying Customer to opt back in to participation in NIPSCO's Energy Efficiency Program at any time	3/7/2022

Submitted By: *E. Curtis Gassert*
Director, Water/Wastewater Division

Filing Party: CWA Authority, Inc.
30-Day Filing ID No.: 50480
Date Filed: February 2, 2022
Filed Pursuant To: 170 IAC 1-6
Request: The utility is proposing changes to its definitions in its Terms and Conditions to clarify the characteristics that make a customer an Industrial customer as opposed to a Nonindustrial customer.
Customer Impact: See below.

CWA Authority, Inc.	Proposed Definition Change
Section 1.22 INDUSTRIAL CUSTOMER	<p>From: <i>Any Customer of the Utility, who discharges, causes or permits the discharge of non-Domestic Wastewater into the Sewage Disposal System, including industrial or commercial entities who find it necessary to discharge clear water consisting of Cooling Water and/or steam condensate.</i></p> <p>To: <i>Any Customer of the Utility, who discharges, causes or permits the discharge of non-Domestic Wastewater into the Sewage Disposal System and/or is subject to a categorical pretreatment standard promulgated by the United States Environmental Protection Agency and required to obtain an industrial discharge permit. Customers primarily engaged in wholesale or retail trade, however, are not Industrial Customers, including without limitation: restaurants, retail stores, K through 12 schools, hotels and other businesses or service establishments engaged in providing merchandise for use and/or rendering services. The foregoing excepted Customers may only be considered Industrial Customers to the extent they are subject to the categorical pretreatment standard.</i></p>
Section 1.25 NONINDUSTRIAL CUSTOMER	<p>From: <i>All Customers of-the Utility that discharge into the Sewage Disposal System sewage normally Discharged by a Residence.</i></p> <p>To: <i>All Customers of the Utility that discharge into the Sewage Disposal System and are not Industrial or Self-Reporting Customers are considered Nonindustrial Customers.</i></p>

Tariff Pages Affected: Page 6 of Sewage Disposal Service Terms and Conditions

Objection - Summary: Arc Energy Objection filed 3/09/22

- Arc Energy alleges that CWA’s notice did not provide an accurate description of the filing, including how customers may be affected, and, therefore, CWA’s filing is in violation of the 30-day Filing Rule and is incomplete.
- Arc Energy alleges that the filing will have ‘a devastating financial impact on every “Customer of Citizens Energy Group.”

CWA Response filed 3/18/22

- Arc Energy is not a CWA customer; it is a consultant assisting some CWA customers in switching their service classification from Non-industrial to Industrial. Arc Energy’s financial interest as a consultant switching customers to an inappropriate rate does not give it an interest in this 30-day filing.
- Arc Energy had notice and an opportunity to object, so its claim of failure to comply with the notice provision has been resolved.
- Arc Energy makes no claim that the substance of the filing is a violation of applicable law, a prior commission order, or commission rule or that the substance of the filing is inaccurate, impermissible, or incomplete.
- CWA’s notice met all the requirements of 170 IAC 1-6-6.
- Contrary to Arc Energy’s unsupported claim that the filing will have “a devastating financial impact on every Customer of Citizens Energy Group,” the filing might impact only those CWA customers that Arc Energy has assisted in switching to the Industrial service classification over the last couple of years.

General Counsel Analysis and Findings:

Arc Energy Objection – alleging that CWA did not give proper notice under 170 IAC 1-6-6.

- Prior to Arc Energy’s alleged objection, the IURC General Counsel’s Office reviewed CWA’s filing for compliance with the notice requirements in 170 IAC 1-6-6, as it does with all 30-day filings, and found that CWA’s filing complied with those notice requirements. This finding was posted to the Commission’s publicly available filing system on February 9, 2022.
- Arc Energy makes a bald statement that CWA did not provide an accurate description of how the customers may be affected under 170 IAC 1-6-6(b)(1)(C). However, Arc Energy does not provide any statement or indication of what its objection actually is and/or how the description CWA did provide (which was already found to be in compliance with the notice requirements) is inaccurate or incomplete.
- Merely asserting that a notice is not accurate or incomplete, without a showing of an actual inaccuracy or how it may be incomplete, is not enough to make an objection compliant with the 30-day Filing Rule.
- Based on this analysis, it is the General Counsel’s opinion that Arc Energy’s objection is not compliant with the 30-day Filing Rule.

Staff Recommendations: Staff agrees with General Counsel’s analysis and findings that the Objections to the Filing are not compliant with Commission rules. Filing requirements have been met. Recommend approval.

Submitted By: E. Curtis Gassert
Director, Water/Wastewater Division

Filing Party: Ellettsville Municipal Water
30-Day Filing ID No.: 50484
Date Filed: February 15, 2022
Filed Pursuant To: 170 IAC 1-6
Request: The utility proposes to increase its tap charges.
Customer Impact: See Below.

Ellettsville Municipal Water	<i>Current</i>	<i>Proposed</i>
<i>Tap Charges</i>		
5/8" x 3/4" meter tap	\$980.00	\$1,510.00
5/8" x 3/4" meter tap, with bore		\$1,960.00
5/8" x 3/4" meter tap, no excavation	\$685.00	\$1,180.00
5/8" x 3/4" meter tap, pre-installed	\$895.00	\$1,320.00
5/8" x 3/4" meter tap, pre-installed, no excavation	\$600.00	\$990.00
Road bore	\$585.00	\$0.00

Tariff Pages Affected: Page 3
Staff Recommendations: Requirements met. Staff Recommends approval.

Submitted By: Jane Steinhauer
Director, Energy Division

Filing Party: Northern Indiana Public Service Co.
30-Day Filing ID No.: 50491
Date Filed: February 28, 2022
Filed Pursuant To: 170 I.A.C. 4-4.1-10
Request: New Rate Schedules for Cogeneration and Alternate Energy Production Facilities.
Customer Impact: N/A

RIDER 878			
Purchases from Cogeneration Facilities and Small Power Production Facilities			
<i>Measurement Method</i>	<i>Time Period</i>	<i>Energy (\$/kWh)</i>	<i>Capacity (\$/kW/month)</i>
Time of Use Meter	<i>Summer Period (May – Sept.)</i>		
	On-Peak	\$0.04764	\$5.74
	Off-Peak	\$0.03410	\$5.74
	<i>Winter Period (Oct. – Apr.)</i>		
	On-Peak	\$0.05157	\$5.74
	Off-Peak	\$0.04305	\$5.74
Standard Meter	Summer Period	\$0.04123	\$5.74
	Winter Period	\$0.04676	\$5.74

Tariff Pages Affected: IURC Original Volume No. 14:
Third Revised Sheet No. 149, and Third Revised Sheet No. 150.

Staff Recommendations: Requirements met. Recommend approval.

Submitted By: Jane Steinhauer
Director, Energy Division

Filing Party: Southern Indiana Gas and Electric Company - Electric
30-Day Filing ID No.: 50492
Date Filed: February 28, 2022
Filed Pursuant To: 170 I.A.C. 4-4.1-10
Request: New Rate Schedules for Cogeneration and Alternate Energy Production Facilities.
Customer Impact: N/A

RATE CSP		
Cogeneration and Small Power Production		
<i>Time Period</i>	<i>Energy Payment to a Qualifying Facility (\$/kWh)</i>	<i>Capacity Payment to a Qualifying Facility (\$/kW/per month)</i>
Annual On-Peak	\$0.03990	\$6.08
Annual Off-Peak	\$0.02999	\$6.08

Tariff Page(s) Affected: IURC No. E-13:
Sheet No. 79, Eleventh Revised Page 2 of 4
Staff Recommendations: Requirements met. Recommend approval.

Submitted By: Jane Steinhauer
Director, Energy Division

Filing Party: AES Indiana
30-Day Filing ID No. 50493
Date Filed: February 28, 2022
Filed Pursuant To: 170 I.A.C. 4-4.1-10
Request: New Rate Schedules for Cogeneration and Alternate Energy Production Facilities.
Customer Impact: N/A

RATE CGS		
Cogeneration and Small Power Production		
<i>Time Period</i>	<i>Energy (\$/kWh)</i>	<i>Capacity (\$/kW/month)</i>
Peak Period	\$3.02	\$5.83
Off Peak Period	\$2.77	\$5.83

Tariff Pages Affected: IURC No. E-18:
5th Revised No. 122
Staff Recommendations: Requirements met. Recommend approval.

Submitted By: E. Curtis Gassert
Director, Water/Wastewater Division

Filing Party: Green Acres Subdivision Sewer System, Inc.
30-Day Filing ID No.: 50495
Date Filed: March 3, 2022
Filed Pursuant To: 170 IAC 1-6
Request: The utility is proposing to add non-recurring charges.
Customer Impact: See below.

Green Acres Subdivision Sewer System, Inc.	Current Charge	Proposed Charge
B. Reconnection Charge	None	\$6,150.00
C. NSF Charge	None	\$30.00

Tariff Pages Affected: Page 1 of 1

Staff Recommendations:

- B. Reconnection Charge: Requirements have not been met. Staff recommend denial for the following reasons:
 - a. The proposed reconnection charge does not align with similar, ordinary and customary charges for wastewater utilities and is likely punitive.
 - b. If the proposed disconnection/reconnection methodology is utilized in the same lateral more than once, the repeated use will cause a restriction in the lateral which will decrease capacity, may promote clogging and may ultimately result the need for the lateral to be replaced.
 - c. Alternative methods of disconnection/reconnection have previously been approved by the Commission with dramatically lower costs including installation of a shut-off valve and robotic insertion/removal of a plug.
- C. NSF Charge: Requirements met. Staff recommends approval.

Submitted By: Jane Steinhauer

Director, Natural Gas Division

Filing Party: Northern Indiana Public Service Company LLC (“NIPSCO”)
30-Day Filing ID No.: 50498
Date Filed: March 7, 2022
Filed Pursuant To: 170 IAC 1-6-1

Request: NIPSCO requests to revise its Index of Cities, Towns and Unincorporated Communities Furnished Gas Service of its IURC Gas Service Tariff, Original Volume No. 8 (“Gas Tariff”) to include the Town of Winfield. Winfield did not incorporate until 1993 and does not have its own ZIP code, so it previously was not listed in the Gas Tariff as a community. The town has recently added its own inspection department and provides new addresses to NIPSCO using “Winfield” as the city/town for the address. The town had previously been added to NIPSCO’s IURC Electric Service Tariff, but the conforming change was not made to the Gas Tariff. Adding it to the list of communities served will allow NIPSCO to update its information systems and allow requests for new services to the town to be better tracked.

Customer Impact: No customer impact is expected.

Tariff Pages Affected: IURC Gas Service Tariff, Original Volume No. 8, First Revised Sheet No. 7, NIPSCO’s Index of Cities, Towns and Unincorporated Communities Furnished Gas Service.

Staff Recommendations: NIPSCO has met all requirements for its request. Staff recommends approval.

Submitted By: Jane Steinhauer

Director, Natural Gas Division

Filing Party: Northern Indiana Public Service Company LLC (“NIPSCO”)
30-Day Filing ID No.: 50499
Date Filed: March 7, 2022
Filed Pursuant To: 170 IAC 1-6-1

Request: NIPSCO requests to revise its Rider 883 – Adjustment of Charges for Demand Side Management Adjustment Mechanism (DSMA) allowing a Qualifying Customer to participate in NIPSCO’s Energy Efficiency Program at any time (rather than the current deadline of May 15). NIPSCO also requests to remove some language on Sheet No. 193 that should have been removed from the definition of Single Site. NIPSCO has shared these changes with the NIPSCO Electric Energy Efficiency Oversight Board and it supports these revisions.

Customer Impact: No customer rate impact is expected.

Tariff Pages Affected: IURC Electric Service Tariff, Original Volume No. 14, First Revised Sheet Nos. 193 and 196, Rider 883 – Adjustment of Charges for Demand Side Management Adjust Mechanism (DSMA).

Staff Recommendations: NIPSCO has met all requirements for its request. Staff recommends approval.