

March 12, 2012

*Via Electronic Filing – 30 Day Filings - Electric*

Brenda A. Howe  
Secretary to the Commission  
Indiana Utility Regulatory Commission  
101 West Washington Street  
Suite 1500 East  
Indianapolis, Indiana 46204

***RE: Northern Indiana Public Service Company 30 Day Filing Pursuant to 170 IAC  
1-6-1 et seq.***

Dear Ms. Howe:

In accordance with 170 IAC 1-6-1, enclosed please find Northern Indiana Public Service Company's ("NIPSCO") First Revised Sheet No. 40 – General Rules and Regulations – Rule 14 – Limitations of Liability. The revisions impact NIPSCO's Customers receiving electric service under its IURC Electric Service Tariff, Original Volume No. 12. The revisions are shown in the attached redlined tariff sheet.

The proposed revisions are intended to revise the Limitations of Liability Rule to mirror NIPSCO's Limitations of Liability rule applicable to NIPSCO's Customers receiving gas service under its IURC Electric Service Tariff, Original Volume No. 7. 170 IAC 1-6-3(3) states that changes to rules and regulations of the utility are an allowable type of filing. Thus, this filing is an allowable request under 170 IAC 1-6-3. This filing does not require confidential treatment nor does it seek any other relief identified in 170 IAC 1-6-4, so it is not prohibited under the Commission's Rule.

In accordance with 170 IAC 1-6-5(2), contact information for the utility regarding this filing is:

Timothy R. Caister  
Director, Regulatory Policy  
Northern Indiana Public Service Company  
101 West Ohio Street, Suite 1707  
Indianapolis, Indiana 46204  
317-684-4908  
317-684-4918 (Fax)  
[tcaister@nisource.com](mailto:tcaister@nisource.com)

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In accordance with 170 IAC 1-6-5(3), the proposed tariff sheet is attached. There are no work papers necessary to support this filing as required in 170 IAC 1-6-5(4).

In accordance with 170 IAC 1-6-5(5), I have verified this letter as to these representations in compliance with 170 IAC 1-6-5(5). A copy of this filing is being provided via electronic mail to the Indiana Office of Utility Consumer Counselor.

In accordance with 170 IAC 1-6-6, NIPSCO provided notice to its customers in Lake County on March 10, 2012. A copy of the notice that was published is attached hereto. A copy of the proof of publication will be provided upon its receipt. NIPSCO has posted notice of this change in its local customer service office at 3229 Broadway, Gary, Indiana and has placed the notice on its website under pending tariffs (see <http://www.nipSCO.com/About-us/Rates-Tariffs/30-Day-Filings.aspx>).

Please let me know if the Commission Staff has any questions or concerns about this submission.

Sincerely,



Frank A. Shambo  
Vice President, Regulatory & Legislative Affairs

Encl.

cc (w/ encl. – via email transmission)

A. David Stippler, Indiana Office of Utility Consumer Counselor  
([dstippler@oucc.in.gov](mailto:dstippler@oucc.in.gov), [infomgt@oucc.in.gov](mailto:infomgt@oucc.in.gov))

Received On: March 12, 2012

IURC 30-Day Filing No: 2987

Indiana Utility Regulatory Commission

NORTHERN INDIANA PUBLIC SERVICE COMPANY

IURC Electric Service Tariff

Original Volume No. 12

Cancelling All Previously Approved Tariffs

Revised Sheet No. 40

Superseding

Original Sheet No. 40

## GENERAL RULES AND REGULATIONS

### Applicable to Electric Service

#### 14. LIMITATIONS OF LIABILITY

- 14.1 Neither Company nor Customer shall be liable to the other for any act, omission or event caused by strikes, acts of God, or unavoidable accidents or contingencies beyond its control.
- 14.2 Company shall not be liable for damages for any failure to supply electricity or for an interruption, limitation, or curtailment of Electric Service, whether or not such disruption is ordered by a governmental agency having jurisdiction or duly applicable organization including Midwest ISO, FERC and Reliability *First* Corporation, if such failure, interruption, limitation, or curtailment is due to the inability of Company to obtain sufficient electric supplies at economical prices from its usual and regular sources or due to any other cause whatsoever other than willful default or negligence of Company.
- 14.3 Company shall not be liable for damages caused by wiring, electrical appliances or equipment on Customer's Premises.
- 14.4 Company shall not be liable for damages resulting to Customer or to third persons from the presence or use of electricity or the presence of Company's equipment on Customer's Premises, unless due to the willful default or negligence on the part of Company.

Issued Date  
12/21/2011

Effective Date  
Pending/2012



**IURC Electric Service Tariff**

**Original Volume No. 12**

**Cancelling All Previously Approved Tariffs**

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~~Company will endeavor to furnish continuous service, but does not guarantee uninterrupted service, and shall not be liable for any damages which Customer may sustain by reason of the failure of the energy, or failure or reversal of phases, whether caused by accident, repairs or other uses; nor shall Company be liable for damages that may be incurred by the use of Customer's electrical appliances or equipment, or the presence of Company's property on Customer's Premises. Nor shall Company be liable for loss or damage occurring under or by virtue of the exercise of authority or regulation by governmental, military or lawfully established civilian agencies, or due to conditions or causes beyond Company's control.~~

**Issued Date**

**12/21/2011**

**Effective Date**

**Pending/2012/27/2011**



**Verified Statement of Northern Indiana Public Service Company  
Concerning Notification of Customers Affected by March 12, 2012 30-Day Filing**

Northern Indiana Public Service Company complied with the Notice Requirements under 170 IAC 1-6-6 in the following manner:

- The attached notice was posted in a public place at NIPSCO's customer service office at 3229 Broadway, Gary, Indiana;
- The same notice was posted on NIPSCO's website under 30-Day Filings (see <http://www.nipsco.com/About-us/Rates-Tariffs/30-Day-Filings.aspx>).
- A legal notice was published in the Post Tribune, a newspaper of general circulation that has a circulation encompassing the highest number of the utility's customers affected by the filing, on March 10, 2012. A copy of the Publisher's Affidavit will be submitted promptly upon receipt; and
- I affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information and belief.

Dated this 12<sup>th</sup> day of March, 2012.



Frank A. Shambo  
Vice President , Regulatory & Legislative Affairs

## NOTICE OF 30-DAY FILING

On or about March 12, 2012, Northern Indiana Public Service Company (“NIPSCO”) will submit to the Indiana Utility Regulatory Commission for approval under its 30-Day Filing procedures, 170 IAC 1-6-1, *et seq.* a revised Rule 14 – Limitations of Liability. The referenced filing will consist of NIPSCO’s proposed revisions to modify Rule 14, which was approved by the Commission on December 21, 2011 in Cause No. 43969. The revisions impact Customers receiving electric service under NIPSCO’s IURC Electric Service Tariff, Original Volume No. 12. A decision on the 30-Day Filing is anticipated at least thirty days after the March 12, 2012 filing date. Any objection to the filing should be directed to (a) the Secretary of the Indiana Utility Regulatory Commission, PNC Center, 101 West Washington Street, Suite 1500 East, Indianapolis, IN 46204 or (b) the Indiana Office of Utility Consumer Counselor, PNC Center, 101 West Washington Street, Suite 1500 South, Indianapolis, IN 46204.