

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

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PETITION OF NORTHERN INDIANA)
PUBLIC SERVICE COMPANY FOR)
APPROVAL OF: (1) AN ADJUSTMENT TO)
ITS ELECTRIC SERVICE RATES)
THROUGH ITS ENVIRONMENTAL COST)
RECOVERY MECHANISM FACTOR)
PURSUANT TO IND. CODE 8-1-2-6.8, CH. 8-)
1-8.7, CH. 8-1-8.8 AND 170 IAC 4-6-1, ET SEQ.)
AND THE COMMISSION'S ORDERS IN)
CAUSE NOS. 42150, 43188, 43969 AND 44012;)
AND (2) MODIFICATIONS OF AND)
REVISED COST ESTIMATES RESPECTING)
CLEAN COAL TECHNOLOGY SET FORTH)
IN ITS TENTH PROGRESS REPORT)
PURSUANT TO THE ONGOING REVIEW)
PROCESS UNDER IND. CODE 8-1-8.7 AND)
APPROVED IN CAUSE NOS. 42150, 43188)
AND 44012.)

CAUSE NO. 42150 ECR 20

APPROVED: JAN 30 2013

ORDER ON RECONSIDERATION

Presiding Officers:

Kari A.E. Bennett, Commissioner

Jeffery A. Earl, Administrative Law Judge

On December 11, 2012, the Indiana Office of Utility Consumer Counselor ("OUCC") filed a Petition for Reconsideration of the Commission's November 21, 2012 Order ("Petition for Reconsideration"). The Petition for Reconsideration asks us to reconsider our Final Order in this Cause and disallow recovery of the cost for catalyst layers and winterization through the Environmental Cost Recovery Mechanism ("ECRM"). On December 21, 2012, Petitioner, Northern Indiana Public Service Company ("NIPSCO"), filed its Response to the Petition for Reconsideration.

170 IAC 1-1.1-22(e) allows a party to file a petition for rehearing and reconsideration within twenty days after the entry of a final order. 170 IAC 1-1.1-22(e)(3) lists the possible actions that we may take in deciding a Petition for Reconsideration, including upholding our original order, modifying our original order based on the existing record without further hearing, reopen the evidentiary record, or reverse our original order. In its Petition for Reconsideration, the OUCC does not seek to reopen the record in this Cause or to introduce new evidence. Rather, the OUCC asks us to reconsider our findings and conclusions regarding the inclusion of expenses related to the installation of catalyst layers and winterization projects in NIPSCO's ECRM. The OUCC reiterates the same arguments that it made in its case-in-chief and that we considered in reaching our decision in this Cause. The OUCC has not offered any new argument that causes us to change our initial decision.

Having reviewed the OUCC's Petition for Reconsideration and reconsidered our Final Order, we uphold our Final Order in this Cause without modification. Therefore, we DENY the Petition for Reconsideration.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. The Petition for Reconsideration of the Commission's November 21, 2012 Order is DENIED.
2. This Order shall be effective on and after the date of its approval.

ATTERHOLT, BENNETT, LANDIS, MAYS AND ZIEGNER CONCUR:

APPROVED: JAN 30 2013

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


Brenda A. Howe
Secretary to the Commission