

ORIGINAL

1107
[Signature]
[Signature]
[Signature]

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

VERIFIED PETITION OF DUKE ENERGY)
INDIANA, INC. SEEKING (1) APPROVAL OF)
AN ONGOING REVIEW PROGRESS)
REPORT PURSUANT TO I.C. 8-1-8.5 AND 8-)
1-8.7; (2) AUTHORITY TO REFLECT COSTS)
INCURRED FOR THE EDWARDSPOINT)
INTEGRATED GASIFICATION COMBINED)
CYCLE GENERATING FACILITY ("IGCC)
PROJECT") PROPERTY UNDER)
CONSTRUCTION IN ITS RATES AND)
AUTHORITY TO RECOVER APPLICABLE)
RELATED COSTS THROUGH ITS)
INTEGRATED COAL GASIFICATION)
COMBINED CYCLE GENERATING)
FACILITY COST RECOVERY)
ADJUSTMENT, STANDARD CONTRACT)
RIDER NO. 61 PURSUANT TO I.C. 8-1-8.8-11)
AND -12; (3) ESTABLISHMENT OF A)
SUBDOCKET PROCEEDING TO REVIEW)
THE COST ESTIMATE FOR THE IGCC)
PROJECT; AND (4) APPROVAL OF A)
REQUEST TO UPDATE ITS DEPRECIATION)
RATES FOR PRODUCTION)
TRANSMISSION, DISTRIBUTION AND)
GENERAL PLANT AND EQUIPMENT)

CAUSE NO. 43114 IGCC 4 S2

APPROVED: AUG 08 2012

ORDER OF THE COMMISSION ON MOTION FOR CLARIFICATION

Presiding Officers:
James D. Atterholt, Chairman
Kari A.E. Bennett, Commissioner
Larry S. Landis, Commissioner
Carolene Mays, Commissioner
David E. Ziegner, Commissioner
David E. Veleta, Administrative Law Judge

On June 6, 2012, the Indiana Utility Regulatory Commission ("Commission") issued an Order in this Cause. On June 29, 2012, Duke Energy Indiana, Inc. ("Duke"), filed its Motion for Clarification of the Commission's June 6, 2012 Order on Confidentiality ("Motion for Clarification") pursuant to 170 IAC 1-1.1-22(e). No other party filed any response to the Motion for Clarification.

The Motion for Clarification notes that on page 65 of the Commission's June 6, 2012 Order, the exhibit in Row No. 318 is described as a "two-page excerpt from the TSA between Duke, Bechtel and GE", which the Commission determined was subject to disclosure under the Indiana Public Records Act. Duke further states that a review of the transcript of the evidentiary hearing in this Cause "makes it clear that while initially, just an excerpt of the February 2006 TSA was going to be admitted as IGCC CX 16-Phase II, a full copy of the TSA was ultimately admitted." Additionally, Duke points out that the exhibit in Row No. 318 is identical to the exhibit in Row No. 325, which was found to not be subject to disclosure under the Indiana Public Records Act. Therefore, Duke requests that the exhibit in Row No. 318 receive the same confidential treatment as the exhibit in Row No. 325.

Having reviewed the Motion for Clarification, the Commission hereby grants the relief requested and finds that exhibit in Row No. 318 is excepted from disclosure under the Indiana Public Records Act.

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

1. Duke's Motion for Clarification is hereby granted. The exhibit in Row No. 318 is not subject to disclosure under the Indiana Public Records Act.
2. This Order shall be effective on and after the date of its approval.

ATTERHOLT, LANDIS, MAYS AND ZIEGNER CONCUR; BENNETT ABSENT:

APPROVED: AUG 08 2012

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



**Brenda A. Howe
Secretary to the Commission**