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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

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| PETITION OF NORTHERN INDIANA PUBLIC) SERVICE COMPANY FOR APPROVAL OF A) GAS COST ADJUSTMENT TO BE) APPLICABLE IN THE MONTHS OF JUNE,) JULY AND AUGUST 2014, PURSUANT TO IND.) CODE § 8-1-2-42(g).) | CAUSE NO. 43629 GCA 30 APPROVED: MAY 28 2014 |
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ORDER OF THE COMMISSION

Presiding Officer:
Jeffery Earl, Administrative Law Judge

On March 25, 2014, in accordance with Ind. Code § 8-1-2-42, Northern Indiana Public Service Company (“Petitioner” or “NIPSCO”) filed its Petition for Gas Cost Adjustment (“GCA”) with attached Schedules to be applicable during the billing cycles of June, July, and August 2014. On April 21, 2014, Petitioner prefiled the direct testimony and exhibits of the following:

- Katherine A. Cherven, Manager of Compliance in NIPSCO’s Rates and Regulatory Finance Department;
- Ronald G. Plantz, Controller; and
- Daniel T. Williamson, Executive Director of Energy Supply and Trading for NIPSCO.

On May 1, 2014, in conformance with the statute, the Indiana Office of Utility Consumer Counselor (“OUCC”) filed the direct testimony and exhibits of the following:

- Pamela Sue Sargent Haase, CPA, Partner at London Witte Group LLC; and
- Jerome D. Mierzwa, Principal and Vice President of Exeter Associates, Inc.

The Commission held an Evidentiary Hearing in this Cause at 10:00 a.m. on May 13, 2014, in Hearing Room 224, 101 West Washington Street, Indianapolis, Indiana. Petitioner and the OUCC were present and participated. No members of the general public appeared or sought to testify at the hearing.

Based upon the applicable law and the evidence presented, the Commission finds:

1. Statutory Notice and Commission Jurisdiction. Notice of the hearing in this Cause was given and published by the Commission as required by law. Petitioner is a public utility as defined in Ind. Code § 8-1-2-1(a). Under Ind. Code § 8-1-2-42(g), the Commission has jurisdiction over changes to Petitioner’s rates and charges related to adjustments in gas costs. Therefore, the Commission has jurisdiction over Petitioner and the subject matter of this Cause.

2. Petitioner's Characteristics. Petitioner is a corporation organized and existing under the laws of the State of Indiana. Petitioner's principal office is located at 801 East 86th Avenue, Merrillville, Indiana. Petitioner renders natural gas utility service to the public in Adams, Allen, Benton, Carroll, Cass, Clinton, DeKalb, Elkhart, Fulton, Howard, Huntington, Jasper, Kosciusko, LaGrange, Lake, LaPorte, Marshall, Miami, Newton, Noble, Porter, Pulaski, St. Joseph, Starke, Steuben, Tippecanoe, Tipton, Wabash, Warren, Wells, White, and Whitley counties in Indiana and owns, operates, manages, and controls plant and equipment for the distribution and furnishing of such service.

3. Source of Natural Gas. Ind. Code § 8-1-2-42(g)(3)(A) requires Petitioner to make every reasonable effort to acquire long-term gas supplies so as to provide gas to its retail customers at the lowest gas cost reasonably possible.

Mr. Williamson testified that Petitioner manages a balanced and fully diversified gas supply portfolio comprised of a variety of commodity, transportation and storage resources. The commodity portfolio is balanced with a combination of fixed-price (physical and financial) and market-based purchases. The commodity portfolio diversification is achieved by acquiring gas from a number of suppliers through a competitive bidding process and utilizing a variety of pricing structures sourced from multiple locations. These gas supplies are delivered to Petitioner through multiple long-term firm transportation arrangements with several different interstate gas pipelines, providing access to multiple supply basins. Mr. Williamson testified Petitioner also has several long-term firm contractual storage services as well as on-system storage capability to meet its gas customers' requirements. The storage portfolio is further diversified through a variety of storage service types in multiple locations in the market area, as well as in producing regions.

Mr. Williamson further testified that during the three-month recovery period beginning June 1, 2014, Petitioner will purchase supply under firm arrangements on both a term and spot-market basis. To achieve diversity of supply, he stated Petitioner has contracted with several pipelines permitting access to multiple supply basins. Petitioner has long-term firm transportation contracts with Natural Gas Pipeline Company of America ("Natural"), Panhandle Eastern Pipe Line Company ("Panhandle"), Trunkline Gas Company ("Trunkline"), ANR Pipeline Company ("ANR"), Vector Pipeline ("Vector"), Crossroads Pipeline ("Crossroads") and Northern Border Pipeline ("Northern Border"). After allocations to the Choice customer suppliers, the long-term, firm, long-haul transportation contracts with Natural, Panhandle, Trunkline, Crossroads, and ANR have an aggregate Maximum Daily Quantity during the peak season of approximately 381,000 Dth per day, including 17,000 Dth of winter only forward and backhaul Crossroads contracts that will retire on March 31, 2014; however, NIPSCO intends to renew.

With regard to storage, Mr. Williamson testified that firm storage service contracts with Natural, Panhandle, ANR, Moss Bluff Hub Partners, L.P., Washington 10 Storage Corporation and Egan Hub Partners, L.P. provide an annual storage capability of approximately 31,000,000 Dth, with maximum daily withdrawal capability of approximately 587,000 Dth to meet winter peaks, after allocations to the Choice customer suppliers.

Mr. Williamson testified that NIPSCO faced significant challenges that substantially impacted the GCA variance due to the winter season being one of the coldest on record, which caused historic high demand, pipeline/supply constraints, and Chicago market supply/price anomalies never before seen. He noted that NIPSCO's system realized temperatures below normal 70% of the time this winter, and the cumulative Heating Degree Days (HDD) for the November 1, 2013, through March 16, 2014, time frame represents the coldest for this period over the past 86 years. As a result, demand for the months of November 2013 through February 2014 exceeded forecast for this period by approximately 24% and exceeded the 10-year actual demand average by approximately 20%. Mr. Williamson explained that the cumulative effects of sustained cold and high demand significantly reduced inventories faster than anticipated in natural gas storage fields, which affects not only available supply but can also affect interstate pipelines that depend on sufficient storage inventory levels to provide adequate pipeline pressure to supply LDC's. He described the operational challenges NIPSCO experienced by pipeline/supply constraints this winter and the successful actions NIPSCO took to mitigate system reliability and integrity risks during the winter season of 2013/2014.

The Commission has indicated that Indiana's gas utilities should make reasonable efforts to mitigate gas price volatility. This includes a program that considers market conditions and the price of natural gas on both current and forward-looking bases. Based on the evidence offered, we find that Petitioner has demonstrated that it has and continues to follow a policy of securing natural gas supply at the lowest gas cost reasonably possible in order to meet anticipated customer requirements. Therefore, we find the requirement of this statutory provision has been fulfilled.

4. Purchased Gas Cost Rates. Ind. Code § 8-1-2-42(g)(3)(B) requires that Petitioner's pipeline suppliers have requested or filed pursuant to the jurisdiction and procedures of a duly constituted regulatory authority the costs proposed to be included in the GCA factor. The evidence of record indicates that the proposed gas costs include transport rates that have been filed by NIPSCO's pipeline suppliers in accordance with Federal Energy Regulatory Commission procedures. We have reviewed the cost of gas included in the proposed gas cost adjustment charge and find the cost to be reasonable. Therefore, we find that the requirement of this statutory provision has been fulfilled.

5. Earnings Test. Ind. Code § 8-1-2-42(g)(3)(C), in effect, prohibits approval of a GCA factor that results in Petitioner earning a return in excess of the return authorized by the last Commission Order in which Petitioner's basic rates and charges were approved. Petitioner's current basic rates and charges were approved on November 4, 2010 in Cause No. 43894. The Commission authorized Petitioner to earn a net operating income of \$39,841,895. In the Commission's Order dated May 31, 2011 in Consolidated Cause Nos. 43941, 43942 and 43943 ("Merger Order"), the Commission authorized an incremental annual net operating income of \$4,602,071 associated with the combined operations of the former Kokomo Gas and Fuel Company and Northern Indiana Fuel & Light Co. and their merger into NIPSCO, and such incremental net operating income is to be added to the authorized net operating income approved for NIPSCO of \$39,841,895 in Cause No. 43894 for purpose of the earnings test calculation beginning with the first consolidated GCA filed on behalf of the consolidated NIPSCO. Petitioner's combined authorized net operating income is \$44,443,966.

The net operating income calculated in this Cause is calculated in accordance with the provisions of the Merger Order. Petitioner's evidence indicates that for the twelve (12) months ending March 31, 2014, Petitioner's actual net operating income was \$54,491,929. Therefore, based on the evidence of record, we find that Petitioner is earning a return in excess of that authorized in its last rate case.

Because Petitioner has earned an excessive return, Ind. Code § 8-1-2-42.3 requires the Commission to determine the amount, if any, of the return to be refunded to customers through the variance in this Cause. A refund is only appropriate if the sum of the differentials (both positive and negative) between the determined return and the authorized return during the relevant period, as defined by Ind. Code § 8-1-2-42.3(a), is greater than zero. Based on the evidence of record, we find the sum of the differentials during the relevant period is less than zero, and therefore, it is not appropriate to require a refund of any of the amount over earned in this Cause.

6. Estimation of Purchased Gas Costs. Ind. Code § 8-1-2-42(g)(3)(D) requires that Petitioner's estimate of its prospective average gas costs for each future recovery period be reasonable. The Commission has determined that this requires, in part, a comparison of prior estimates with the corresponding actual costs. The evidence presented indicates that Petitioner's estimating techniques during the reconciliation period of December 2013 through February 2014 ("Reconciliation Period") yielded an under-estimated weighted average error of 18.65%. Ms. Cherven explained that the extreme cold weather during the 2013-2014 winter presented NIPSCO with historic system demands and unprecedented price volatility resulting in higher than expected gas costs. Based on Petitioner's historical accuracy in estimating the cost of gas, we find that Petitioner's estimating techniques are sound, and Petitioner's prospective average estimate of gas costs is reasonable.

7. Reconciliations.

A. Variances. Ind. Code § 8-1-2-42(g)(3)(D) also requires that Petitioner reconcile its estimate for a previous recovery period with the actual purchased gas cost for that period. The evidence presented in this proceeding establishes that the commodity and bad debt variance for the Reconciliation Period is an under-collection of \$71,123,883 from its customers. This amount should be included, based on estimated sales percentages, in this GCA and the next three GCAs. The amount of the Reconciliation Period variance to be included in this GCA as an increase in the estimated net cost of gas is \$4,426,473.

The commodity and bad debt variance from prior recover periods applicable to the current recovery period is an over-collection of \$316,838. Combining this amount with the Reconciliation Period commodity variance to be included in this GCA results in a total under-collection of \$4,109,635 to be applied in this GCA as an increase in the estimated net cost of gas.

The evidence presented in this proceeding establishes that the demand variance for the Reconciliation Period is an over-collection of \$22,072,948 from its customers. This amount should be included, based on estimated sales percentages, in this GCA and the next three GCAs.

The amount of the Reconciliation Period demand variance to be included in this GCA as a decrease in the estimated net cost of gas is \$1,385,398.

The demand variance from prior recovery periods applicable to the current recovery period is an under-collection of \$542,652. Combining this amount with the Reconciliation Period demand variance results in a total over-collection of \$842,746, to be applied to this GCA as a decrease in the estimated net cost of gas.

B. Refunds. Petitioner received no new refunds during the Reconciliation Period but has \$27,209 in refunds from prior periods applicable to the current recovery period. We find that the amount to be refunded to customers in this GCA is \$27,209 as reflected on Schedule 12A.

8. Resulting Gas Cost Adjustment Factor. The estimated net cost of gas to be recovered for June 2014 is \$6,162,006, for July 2014 is \$5,874,141, and for August 2014 is \$5,605,505. Adjusting this total for the variance and refund amounts yields gas costs to be recovered through the GCA factor of \$7,285,562 for June 2014, \$6,956,869 for July 2014, and \$6,638,901 for August 2014. After dividing these amounts by the appropriate estimated sales, adding demand costs, and adjusting for Bad Debt expense as provided in Cause No. 43894 and Indiana Utility Receipts Tax, Petitioner’s recommended GCA factors are:

| <u>Estimated GCA per Dth</u> | | | |
|-------------------------------------|-------------------------|-------------------------|---------------------------|
| <u>Rate Class</u> | <u>June 2014</u> | <u>July 2014</u> | <u>August 2014</u> |
| Residential | \$5.382 | \$5.338 | \$5.305 |
| General Service | \$5.515 | \$5.465 | \$5.407 |

9. Effects on Residential Customers. Petitioner requests authority to approve the GCA factor of \$5.382/Dth for June 2014, \$5.338/Dth for July 2014, and \$5.305/Dth for August 2014. The table below shows the gas costs a residential customer will incur under the proposed GCA factor based on 10 Dth of usage. The table also compares the proposed gas costs to what a residential customer paid most recently (March 2014 - \$5.795/Dth) and a year ago (June 2013 - \$4.654/Dth, July 2013 - \$4.171/Dth, and August 2013 - \$4.040/Dth). The table reflects costs approved through the GCA process. It does not include Petitioner’s base rates or any applicable rate adjustment mechanisms.

| Month | Proposed Gas Costs @10 Dth | Current | | Year Ago | |
|--------------|-----------------------------------|--------------------------|--------------------------------|--------------------------|---------------------------------|
| | | Gas Costs @10 Dth | Difference from Current | Gas Costs @10 Dth | Difference from Year Ago |
| June 2014 | \$53.82 | \$57.95 | (\$4.13) | \$46.54 | \$7.28 |
| July 2014 | \$53.38 | \$57.95 | (\$4.57) | \$41.71 | \$11.67 |
| August 2014 | \$53.05 | \$57.95 | (\$4.90) | \$40.40 | \$12.65 |

10. Interim Rates. We are unable to determine whether Petitioner will earn an excess return while these GCA factors are in effect. Therefore, the rates approved in this Order are interim rates subject to refund pending reconciliation in the event an excess return is earned.

11. Monthly Flex Mechanism. This Commission indicated in prior Orders that Indiana's gas utilities should make reasonable efforts to mitigate gas price volatility. Petitioner's approved monthly flex mechanism is designed to address the Commission's concerns. Therefore, Petitioner may utilize a monthly flex mechanism to adjust the GCA factor for the subsequent month. The flex applies only to estimated pricing of estimated market purchases (the initial market price) in the GCA. The flex will be filed no later than three (3) days before the beginning of each calendar month during the GCA quarter. Market purchases in the flex are to be priced at NYMEX prices on a day no more than six (6) business days prior to the beginning of said calendar month. Changes in the market price included in the flex will be limited to a maximum adjustment (higher or lower) of \$1.00 from the initial market price.

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

1. The Petition of Northern Indiana Public Service Company for the gas cost adjustment for natural gas service, as set forth in Paragraph No. 8, is approved, subject to refund in accordance with Paragraph 10.

2. Prior to implementing the GCA factors approved above or any future flexed factor, Petitioner shall file with the Commission under this Cause the applicable rate schedules for the factor.

3. This Order shall be effective on and after the date of its approval.

STEPHAN, MAYS, WEBER, AND ZIEGNER CONCUR:

APPROVED: MAY 28 2014

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



Brenda A. Howe
Secretary to the Commission