

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN RE: THE COMPLAINT OF GOODMAN,) CAUSE NO. 43650
ET AL. V. INDIANAPOLIS POWER &)
LIGHT COMPANY) APPROVED: JAN 16 2013

DISMISSAL ORDER OF THE COMMISSION

Presiding Officers:

David E. Ziegner, Commissioner

Aaron A. Schmoll, Senior Administrative Law Judge

On February 24, 2009, the Indiana Office of Consumer Counselor ("OUCC") forwarded the underlying Complaint in this Cause to the Commission. The Complaint was officially filed with the Commission on March 3, 2009 and docketed as Cause No. 43650. On April 1, 2009, the Commission initiated its investigation in Cause No. 43663, and stated that "evidence relating to the underlying issues in Cause No. 43650 should be presented in [Cause No. 43663]."

On November 30, 2010, the Commission issued its Order concluding the investigation in Cause No. 43663. In that Order, the Commission addressed a number of issues raised in the Complaint, ordered the initiation of a rulemaking, and stated "the Commission will order the complaint filed under Cause No. 43650 to be dismissed by separate order under that Cause." Following the issuance of the November 30, 2010 Order, a number of parties filed Petitions for Rehearing and Reconsideration. On July 7, 2011, the Commission issued its Order on Reconsideration in Cause No. 43663, which was not appealed by any party and did not alter the earlier conclusion that this Cause shall be dismissed by separate Order. On October 24, 2012, the rulemaking associated with the Commission's Order in Cause No. 43663 became effective. Accordingly, the Commission hereby dismisses this Cause with prejudice.

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

1. Cause No. 43650, initiated by the Complaint filed on March 3, 2009, is hereby dismissed, with prejudice.
2. This Order shall be effective on and after the date of its approval.

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

APPROVED: JAN 16 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