

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

VERIFIED PETITION OF INDIANA MICHIGAN POWER)
COMPANY ("I&M"), AN INDIANA CORPORATION, FOR)
APPROVAL OF CLEAN COAL AND ENERGY PROJECTS)
AND QUALIFIED POLLUTION CONTROL PROPERTY)
AND FOR ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY FOR USE OF CLEAN)
COAL TECHNOLOGY ("PROJECTS"); FOR ONGOING)
REVIEW; FOR APPROVAL OF THE TIMELY RECOVERY)
OF COSTS INCURRED DURING CONSTRUCTION AND)
OPERATION OF SUCH PROJECTS THROUGH I&M'S)
CLEAN COAL TECHNOLOGY RIDER; FOR APPROVAL)
OF DEPRECIATION PROPOSAL FOR SUCH PROJECTS;)
AND FOR AUTHORITY TO DEFER COSTS INCURRED)
DURING CONSTRUCTION AND OPERATION,)
INCLUDING CARRYING COSTS, DEPRECIATION, AND)
OPERATION AND MAINTENANCE COSTS, UNTIL SUCH)
COSTS ARE REFLECTED IN THE CLEAN COAL)
TECHNOLOGY RIDER, ALL PURSUANT TO IND. CODE)
§§ 8-1-2-6.1, 8-1-2-6.7, 8-1-2-6.8, 8-1-2-42(a), 8-1-8.7, 8-1-8.8)
AND 170 IAC 4-6-1 ET SEQ.)

CAUSE NO. 44033

APPROVED:

MAR 14 2013

ORDER OF DISMISSAL

Presiding Officers:

Kari A.E. Bennett, Commissioner
Jeffery A. Earl, Administrative Law Judge

On February 25, 2013, Petitioner, Indiana Michigan Power Company ("I&M"), filed a Motion to Dismiss Without Prejudice ("Motion") in this Cause. The Motion indicates that in light of testing, analysis, and other work undertaken by I&M since filing its petition in this Cause, I&M has reconsidered its proposed compliance plan and anticipates filing a new petition with a revised compliance plan. Therefore, I&M requests that this Cause be dismissed without prejudice. No party has objected to the Motion.

The Commission held attorney conferences and technical conferences on August 28, November 26, and December 20, 2012, at which I&M kept the Commission apprised of its consideration of alternative, and possibly less expensive, projects to achieve compliance with environmental regulations. I&M also addressed the Commission's concerns regarding I&M's ability to timely comply with the Mercury and Air Toxics Standards rule. In light of these discussions and the information contained in the Motion, we GRANT the Motion and dismiss this case without prejudice.

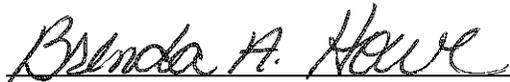
IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. This Cause is dismissed without prejudice.

ATTERHOLT, BENNETT, LANDIS, MAYS AND ZIEGNER CONCUR:

APPROVED: **MAR 14 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