

IURC News Release

Indiana Utility Regulatory Commission

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Documents Released in Duke Energy's Edwardsport Case

INDIANAPOLIS – Today the Indiana Utility Regulatory Commission (IURC) determined that 85 exhibits and parts of 10 more exhibits within the Edwardsport case are not confidential, under Cause No. 43114 IGCC 4 – S2.

Initially, Duke Energy filed more than 1,300 exhibits of which roughly 800 exhibits were granted preliminary confidentiality based on affidavits filed by the utility. During the normal course of the evidentiary hearings, the total number of confidential exhibits decreased from 800 to 328. The IURC reviewed each of the 328 exhibits, finding 85 of the exhibits and parts of 10 should be part of the public record.

In all cases, Duke Energy relied on the trade secret exemption, per Indiana Code 5-14-3-4(a)(4). Consequently, the IURC evaluated the documents to make a final determination on confidentiality and states the basis for each decision, beginning on page 6 of the Order. All along, parties to the case (i.e., the Citizens Action Coalition, the Indiana Office of Utility Consumer Counselor, Nucor-Steel, and the Duke Industrial Group) had access to the confidential documents; however, the exhibits were not part of the public record due to the preliminary ruling.

Duke Energy has 30 days to refile the newly disclosed exhibits in unredacted form. Once filed, these documents will be publicly available through the IURC's Electronic Document System. To view a copy of today's Order, please visit: www.in.gov/iurc.

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The Commission is a fact-finding body that hears evidence in cases filed before it and makes decisions based on the evidence presented in those cases. An advocate of neither the public nor the utilities, the IURC is required by state statute to make decisions that balance the interests of all parties to ensure the utilities provide adequate and reliable service at reasonable prices.