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STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION

Notice of Proposed Rulemaking

IURC RM #12-07
LSA #12-462

The Indiana Utility Regulatory Commission (the "Commission"), pursuant to IC 8-1-1-3(g), hereby proposes to amend 170 IAC 1-6-3 and 170 IAC 1-6-6 of the Commission's Thirty-day Administrative Filing Rule to provide an alternative method of notice for intrastate access tariff filings. The Commission shall hear public comments on the attached proposed rule at a date and time to be determined, in Suite 220, of the National City Center, 101 W. Washington Street, Indianapolis, Indiana.

The Secretary of the Commission is hereby directed to maintain five (5) copies of the proposed rule continuously on file in the Commission Offices for public inspection, and forward copies of the attached proposed rule to the Indiana Legislative Services Agency for publication in the Indiana Register.

IT IS SO ORDERED.

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

APPROVED: SEP 19 2012

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


Brenda A. Howe
Secretary to the Commission

TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

Proposed Rule LSA Document #12-462

DIGEST

Amends 170 IAC 1-6-3 to allow intrastate access tariff filings to be filed under the commission's 30 day administrative filing rule. Amends 170 IAC 1-6-6 to provide an alternative means for utilities filing intrastate access tariff changes to provide the required notice. Effective 30 days after filing with the Publisher.

170 IAC 1-6-3; 170 IAC 1-6-6

SECTION 1. 170 IAC 1-6-3 IS AMENDED TO READ AS FOLLOWS:

170 IAC 1-6-3 Allowable filings

Authority: IC 8-1-1-3; IC 8-1-1-5; IC 8-1-2-42

Affected: IC 8-1

Sec. 3. The following types of filings are allowable under the procedures and guidelines of this rule:

- (1) Rates and charges for new services.
- (2) New rules and regulations of the utility.
- (3) Changes to rules and regulations of the utility.
- (4) Nonrecurring charges.
- (5) Changes to rates and charges so long as the change:
 - (A) is revenue neutral within a specific rate schedule; or
 - (B) results in an overall decrease in the revenues of the utility and is done on an across-the-board basis to all classes of customers.
- (6) A request by a clean energy resource for approval of an alternative equation to determine the number of clean energy credits earned for the useful thermal energy produced.
- (7) Intrastate access tariff filings.**
- (8)** A filing for which the commission has already approved or accepted the procedure for the change.
- (8)(9)** Any other filing as may be ordered by the commission to be filed under this rule.

(Indiana Utility Regulatory Commission; 170 IAC 1-6-3; filed Nov 25, 2008, 1:18 p.m.: 20081217-IR-170070829FRA)

SECTION 2. 170 IAC 1-6-6 IS AMENDED AS FOLLOWS:

170 IAC 1-6-6 Notice requirements

Authority: IC 8-1-1-3; IC 8-1-1-5; IC 8-1-2-42

Affected: IC 8-1

Sec. 6. (a) A utility that intends to make a filing under this rule shall provide notice prior to the filing date by:

(1) posting the notice described in subsection (b):

(A) in a public place at the utility's local customer service office or offices, to the extent the utility has such offices; and

(B) in an obvious place on the utility's website, which at a minimum is a link on the Indiana homepage of the utility's website, if the utility has a website; and

(2) publishing the notice described in subsection (b) in at least one (1) newspaper of general circulation that has a circulation encompassing the highest number of the utility's customers affected by the filing.

(b) **Notice for intrastate access tariff filings may be made by:**

(1) following the procedures in subsection (a); or

(2) providing notice as follows:

(A) posting the notice in an obvious place on the utility's website, which at a minimum is a link on the Indiana homepage of the utility's website; and

(B) sending a written notice to each of its intrastate access charge customers via:

(i) electronic; or

(ii) regular

mail.

(c) At a minimum, the notice shall contain the following information:

(1) A brief but accurate description of the filing, including the following:

(A) The nature of the filing.

(B) Which customers may be affected.

(C) How those customers may be affected.

(2) The expected filing date.

(3) The date by which approval of the filing is expected.

(4) The contact information, to which an objection should be made, for both the:

(A) secretary of the commission; and

(B) OUCC.

(ed) If a utility filing under this rule is already required to provide notice pursuant to a commission order, the notice requirements may be combined into one (1) notice; however, the notice at a minimum shall contain the information required in subsection (b).

(de) Commission staff shall post the filing to the commission's electronic gateway as soon as possible on or after the filing date. (*Indiana Utility Regulatory Commission; 170 IAC 1-6-6; filed Nov 25, 2008, 1:18 p.m.: 20081217-IR-170070829FRA*)