

ORIGINAL

Commissioner	Yes	No	Not Participating
Huston	√		
Bennett	√		
Freeman	√		
Veleta	√		
Ziegner	√		

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

COMPLAINT OF OLTHOF HOMES)
CONCERNING THE PROVISION OF GAS)
AND ELECTRIC SERVICE BY NORTHERN)
INDIANA PUBLIC SERVICE COMPANY LLC)

CAUSE NO. 46007

APPROVED: MAY 08 2024

PREHEARING CONFERENCE ORDER OF THE COMMISSION

Presiding Officers:
Sarah E. Freeman, Commissioner
Jennifer L. Schuster, Senior Administrative Law Judge

On January 31, 2024, pursuant to 170 IAC 16-1-5(e), the complaints filed with the Indiana Utility Regulatory Commission’s (“Commission”) Consumer Affairs Division (“CAD”) by Olthof Homes (“Complainant”), CAD Complaint numbers 136907 and 136908 against Northern Indiana Public Service Company LLC (“NIPSCO” or “Respondent”), were docketed in this Cause before the Commission.

Pursuant to notice and as provided for in 170 IAC 1-1.1-15, a Prehearing Conference in this Cause was held in via WebEx on May 1, 2024 at 1 p.m. Proofs of publication of the notice of the Prehearing Conference have been incorporated into the record and placed in the official files of the Commission. Complainant and Respondent appeared and participated at the Prehearing Conference. The Indiana Office of Utility Consumer Counselor (“OUCC”) has indicated that it does not intend to participate in this proceeding.

Prior to the opening of the record and with the consent of all parties in attendance, an informal discussion was held regarding procedural and scheduling matters in this Cause. The agreement of the parties was then read into the record.

Based upon the parties’ agreement, the Commission now enters the following findings and order which shall become a part of the record in this proceeding:

- 1. Complainant’s Prefiling Date.** Complainant shall prefile with the Commission its prepared testimony and exhibits constituting its case-in-chief on or before October 1, 2024. Copies of the same shall be served upon all parties of record.

- 2. Respondent and Intervenors’ Prefiling Date.** Respondent and all intervenors shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before December 3, 2024. Copies of the same shall be served upon all parties of record.

3. Complainant's Rebuttal Prefiling Date. Complainant shall prefile with the Commission its prepared rebuttal testimony on or before January 17, 2025. Copies of the same shall be served upon all parties of record.

4. Witness Order. Each party shall file their intended witness order to the Commission and all parties of record in writing at least 72 hours in advance of the evidentiary hearing.

5. Evidentiary Hearing. In the event this Cause is not settled, this matter shall proceed to an evidentiary hearing to commence at 9:30 a.m. on February 7, 2025 in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. At such time, the cases-in-chief of the Complainant, Respondent, and any intervenors shall be presented and their respective witnesses examined. Thereafter, Complainant shall present its prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of Respondent's or intervenors' witnesses. If the parties reach settlement, the agreement and supporting testimony and exhibits shall be submitted to the Commission at least ten business days prior to the evidentiary hearing.

6. Post-Hearing Filings. Complainant shall file its proposed order on or before March 12, 2025. Respondent and intervenors shall file their respective proposed orders and/or any exceptions to Complainant's proposed order on or before March 26, 2025. Complainant shall file any reply to Respondent's and/or intervenors' proposed orders and/or exceptions on or before April 9, 2025.

7. Hearing Exhibits. Paper copies of exhibits to be offered at the evidentiary hearing must be: (a) single-sided; and (b) fastened together with staples, binder clips, or other non-permanent bindings that have no more than three holes along the longest edge. Parties shall process exhibits that: (1) consist of excel spreadsheets, (2) are oversized, or (3) are voluminous in nature, through an optical character recognition program and offer the exhibits on a compact disc. Parties shall offer confidential exhibits on green paper in an envelope marked "confidential" or, if offered on a compact disc, the compact disc shall be labeled "confidential."

8. Sworn Testimony. Any witness testimony to be offered into the record of this proceeding shall be made under oath or affirmation. In accordance with 170 IAC 1-1.1-18(i), if a party offers prefiled testimony of a witness into evidence at the evidentiary hearing, and the witness sponsoring the prefiled testimony is not required to, and does not, attend the evidentiary hearing, the prefiled testimony shall be accompanied by the witness's sworn affidavit or written verification at the time the evidence is offered into the record.

9. Discovery. Discovery is available for all parties and shall be conducted on an informal basis. Any response or objection to a discovery request shall be made within ten calendar days of the receipt of such request.

10. Prefiling of Workpapers. When a party prefiles technical evidence with the Commission, the party shall also file a copy of the workpapers used to produce that evidence within two business days after prefilng of the technical evidence. Copies of the workpapers shall also be served on all other parties in this Cause. When submitting workpapers to the Commission, two copies of each document shall be filed with the Secretary of the Commission.

11. Number of Copies/Corrections. Filings with the Commission shall comply with General Administrative Order 2016-2. Any corrections to prefled testimony shall be made in writing as soon as possible after discovery of the need to make such corrections.

12. Objections to Prefiled Testimony and Exhibits. Parties shall file, and serve on all parties of record, any objections to the admissibility of prefled testimony or exhibits as soon as an objection can be reasonably determined, but no less than ten days prior to the date scheduled for commencement of the hearing at which the testimony or exhibit will be offered into the record.

13. Intervenors. Any party permitted to become an Intervenor in this Cause shall be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 IAC 1-1.1-11.

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

1. The determinations of the Prehearing Conference set forth in this Order are made a part of the record in this Cause and shall be binding on all present and future parties of record during the proceedings of this Cause.

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

HUSTON, BENNETT, FREEMAN, VELETA AND ZIEGNER CONCUR:

APPROVED: MAY 08 2024

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

**Dana Kosco
Secretary of the Commission**