

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

**COMMENTS OF INDIANA INDUSTRIAL ENERGY CONSUMERS, INC.
REGARDING THE "STRAWMAN" DRAFT OF REVISIONS TO THE
COMMISSION'S MINIMUM STANDARD FILING REQUIREMENTS.**

Introduction

The Indiana Industrial Energy Consumers, Inc. ("INDIEC") files these comments with respect to the consideration of the Indiana Utility Regulatory Commission ("Commission") revising its proposed rules governing the minimum standard filing requirements. INDIEC is an organization of large volume energy users in the state of Indiana. A list of INDIEC members is attached. INDIEC is and has been for more than 20 years the voice of industrial energy in Indiana.

INDIEC supports clear and precise rules governing the filing requirements for all parties before the Commission. It is INDIEC's belief that all procedures should recognize the Commission's discretion when handling regulatory filings. It is the Commission's responsibility to administer the regulatory bargain between utilities and the rate paying public. Consequently, any changes to the minimum standard filing requirements need to keep in mind the balance between consumer rights and the utilities' rights, along with the Commission's expertise and discretion in order to carry out the regulatory bargain.

Comments

The Indiana Energy Association ("IEA") has proposed changes to section 1-5-2(d) which INDIEC believes places limits on the Commission's discretion. INDIEC recommends that the last sentence of IEA's proposal for 1-5-2(d) be eliminated.

INDIEC prefers the Commission's language in the strawman draft rather than the proposed changes that IEA has recommended for 1-5-2.1. However, INDIEC suggests that 1-5-2.1(c)(3) and (4) reference section 5 requirements.

INDIEC believes that IEA's proposed changes to 1-5-4(a) and (b) resolves the issues raised by several parties regarding the time for filing a notice of non-compliance. However, INDIEC suggests that the last sentence of IEA's change to 1-5-4(b) insert the words "as a result of 5(a) or (b)" after the word "modified" so that the last sentence now reads: The schedule established under section 2.1 shall not be modified, as a result of 5(a) or (b), unless a material non-compliance issue is found to exist. INDIEC has no objection to IEA's changes to sub-section d of 1-5-4.

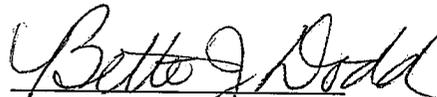
INDIEC prefers the Commission's language in the strawman draft for 1-5-5(e). The Commission's language provides the Commission more discretion in determining the cut-off for a major project.

As to sections 6-8, INDIEC agrees that technical representatives of all interested parties should meet to discuss the requirements for supporting documentation. INDIEC proposes that as much supporting documentation as is reasonably feasible should be provided by the electing utility at the time it files its case-in-chief and workpapers. Because of the tight timetable under the minimum standard filing rules, the more information a utility provides initially should decrease the amount of discovery that is subsequently necessary and give the Office of Utility Consumer Counselor and other parties sufficient time to analyze and address the utility's filing.

Conclusion

INDIEC appreciates the opportunity to participate in this rulemaking workshop and looks forward to continuing the discussion with the other interested parties and Commission Staff.

Respectfully submitted,


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