

INDIANA UTILITY REGULATORY COMMISSION

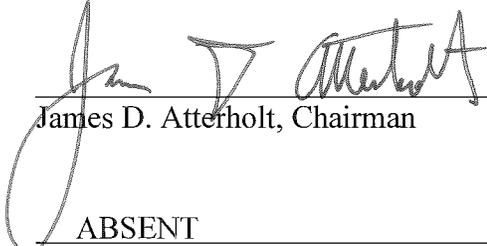
Emergency Rulemaking

IURC RM #12-07

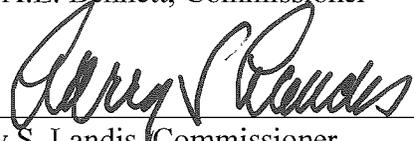
LSA #12-\_\_\_\_\_(E)

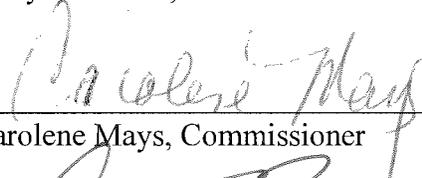
Pursuant to IC 8-1-1-3(g) and IC 8-1-2-113, and as required by the provisions of IC 4-22-2-1, *et seq.*, the Indiana Utility Regulatory Commission (the "Commission") on August 8, 2012, at 2:00 p.m. EDT in Judicial Courtroom 222, PNC Center, 101 W. Washington Street, Indianapolis, Indiana, at which time a majority of members of said Commission were present, adopted the foregoing rule, which amends 170 IAC 1-6-3 and 170 IAC 1-6-6 of the Commission's Thirty-day Administrative Filing rule and repeals the Emergency Rule approved on August 8, 2012 (LSA Document #12-466(E)).

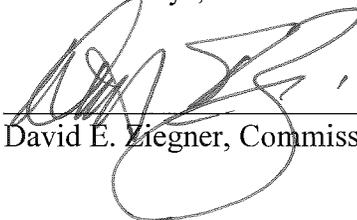
The Secretary of the Commission is hereby directed to file the foregoing rule with the publisher, Indiana Register, Indiana Legislative Services Agency.

  
\_\_\_\_\_  
James D. Atterholt, Chairman

ABSENT  
\_\_\_\_\_  
Kari A.E. Bennett, Commissioner

  
\_\_\_\_\_  
Larry S. Landis, Commissioner

  
\_\_\_\_\_  
Carolene Mays, Commissioner

  
\_\_\_\_\_  
David E. Ziegner, Commissioner

ATTEST:

  
\_\_\_\_\_  
Brenda Howe, Secretary to the Commission

Date: **AUG 22 2012**

# Rule Signature Page

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Rule #: LSA #12-\_\_\_\_\_(E)  
Agency: Indiana Utility Regulatory Commission  
Subject: Amends 170 IAC 1-6-3 and 170 IAC 1-6-6 of the Commission's Thirty-day Administrative Filing rule; repeals LSA Document #12-466(E)

**ADOPTED:**

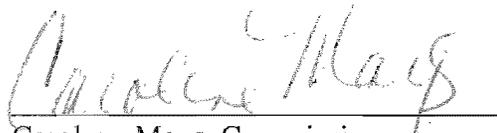
By the Indiana Utility Regulatory Commission

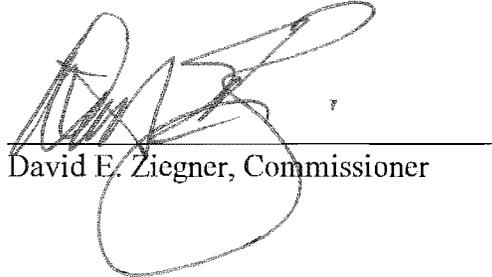
Date: AUG 22 2012

  
James D. Atterholt, Chairman

ABSENT  
Kari A. E. Bennett, Commissioner

  
Larry S. Landis, Commissioner

  
Carolene Mays, Commissioner

  
David E. Ziegner, Commissioner

**ACCEPTED FOR FILING:**

By: \_\_\_\_\_  
Indiana Register  
Legislative Services Agency

Date: \_\_\_\_\_

# TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

## **Emergency Rule** LSA Document #12-\_\_\_\_(E)

### DIGEST

Temporarily amends 170 IAC 1-6-3 to allow intrastate access tariff filings to be filed under the commission's thirty day administrative filing rule. Temporarily amends 170 IAC 1-6-6 to provide an alternative means for utilities filing intrastate access tariff changes to provide the required notice. Repeals LSA Document #12-466(E). Statutory authority: IC 8-1-1-3(g) and IC 8-1-2-113. Effective August 22, 2012.

**SECTION 1. (a) This SECTION supersedes 170 IAC 1-6-3.**

**(b) The following types of filings are allowable under the procedures and guidelines of 170 IAC 1-6:**

- (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.**
- (9) Any other filing as may be ordered by the commission to be filed under this rule.**

**SECTION 2. (a) This SECTION supersedes 170 IAC 1-6-6.**

**(b) A utility that intends to make a filing under 170 IAC 1-6 shall provide notice prior to the filing date by:**

- (1) posting the notice described in subsection (d):**
  - (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 (d) 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.**

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

**(1) following the procedures in subsection (b); 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.**

**(d) 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.**

**(e) 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 (d).**

**(f) Commission staff shall post the filing to the commission's electronic gateway as soon as possible on or after the filing date.**

**SECTION 3. LSA Document #12-466(E) IS REPEALED.**

**SECTION 4. SECTIONS 1 through 4 of this document expire on November 20, 2012.**