

Adopted	Rejected
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COMMITTEE REPORT

YES:	12
NO:	1

MR. SPEAKER:

*Your Committee on Utilities and Energy, to which was referred Senate Bill 560, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, delete lines 5 through 9, begin a new paragraph and insert:
- 2 "Sec. 1. As used in this chapter, "eligible infrastructure" means
- 3 the following:
- 4 (1) Storage, compressed natural gas, liquefied natural gas,
- 5 transmission, and distribution facilities to be used in the
- 6 delivery of natural gas, or supplemental or substitute forms
- 7 of gas sources by a natural gas utility.
- 8 (2) Facilities and technologies used in the deployment and
- 9 transmission of broadband service, however defined or
- 10 classified by the Federal Communications Commission, or
- 11 advanced services (as defined in 47 CFR 51.5) by a provider
- 12 of broadband service or advanced services.
- 13 (3) Facilities used in the treatment, storage, or distribution of
- 14 water by a water utility."
- 15 Page 2, line 6, delete "natural gas" and insert "eligible".
- 16 Page 2, line 10, after "usage" insert ", increased availability of

- 1 **broadband service, advanced services, and public water,".**
- 2 Page 3, line 19, delete "IC 8-1-39-9(b)." and insert "**IC**
- 3 **8-1-39-12(b).**"
- 4 Page 3, line 22, delete "IC 8-1-39-9(b);" and insert "**IC**
- 5 **8-1-39-12(b);"**
- 6 Page 5, line 34, after "use." insert "**The utility must include with**
- 7 **its petition the utility's complete case in chief."**
- 8 Page 6, line 16, delete "seventy-five percent (75%)" and insert "**fifty**
- 9 **percent (50%)"**.
- 10 Page 6, line 25, delete "(c)(1), the utility may" and insert "**(c)(1) or**
- 11 **a hybrid test period described in subsection (c)(3), the utility may**
- 12 **not:**
- 13 **(1) implement the temporary increase before the date on**
- 14 **which the projected data period begins; or**
- 15 **(2) object during a proceeding before the commission to a**
- 16 **discovery request for historic data as described in subsection**
- 17 **(c)(2) solely on the basis that the utility has designated a**
- 18 **forward looking or hybrid test period."**
- 19 Page 6, delete lines 26 through 27.
- 20 Page 7, line 18, delete "charges." and insert "**charges, plus, for a**
- 21 **refund only, interest at an annual rate of three percent (3%)."**
- 22 Page 8, line 15, delete "11" and insert "**10(c)**".
- 23 Page 9, between lines 32 and 33, begin a new paragraph and insert:
- 24 **"(f) Actual capital expenditures and TDSIC costs that exceed the**
- 25 **approved capital expenditures and TDSIC costs require specific**
- 26 **justification by the public utility and specific approval by the**
- 27 **commission before being authorized for recovery in customer**
- 28 **rates."**
- 29 Page 9, line 42, after "petition." insert "**The order must include the**
- 30 **following:**
- 31 **(1) A finding of the best estimate of the cost of the eligible**
- 32 **improvements included in the plan.**
- 33 **(2) A determination whether public convenience and necessity**
- 34 **require or will require the eligible improvements included in**
- 35 **the plan.**
- 36 **(3) A determination whether the estimated costs of the eligible**
- 37 **improvements included in the plan are justified by**
- 38 **incremental benefits attributable to the plan."**

- 1 Page 9, line 42, beginning with "If" begin a new line blocked left.
2 Page 10, line 10, after "approve" insert "**the inclusion of**".
3 Page 10, line 10, after "that" insert "**the inclusion of**".
4 Page 10, line 11, delete "qualifies as a targeted economic
5 development project." and insert "**is consistent with the requirements**
6 **of this chapter.**".
7 Page 10, line 16, delete "Costs" and insert "**A public utility shall**
8 **apply to the Indiana economic development corporation for**
9 **approval to treat costs**".
10 Page 10, line 17, after "project" insert "**as TDSIC costs. Costs**
11 **approved by the Indiana economic development corporation**".
12 Page 11, line 35, delete "three percent (3%)" and insert "**two**
13 **percent (2%)**".
14 Page 12, between lines 39 and 40, begin a new paragraph and insert:
15 "**SECTION 7. [EFFECTIVE JULY 1, 2013] (a) As used in this**
16 **SECTION, "electric customer choice program" means a program**
17 **under which a customer of any class located in the service area of**
18 **an electric utility may purchase electricity from a provider other**
19 **than the electric utility in the service area.**
20 **(b) As used in this SECTION, "legislative council" refers to the**
21 **legislative council established by IC 2-5-1.1-1.**
22 **(c) As used in this SECTION, "regulatory flexibility committee"**
23 **refers to the regulatory flexibility committee established under**
24 **IC 8-1-2.6-4.**
25 **(d) The legislative council is urged to assign to the regulatory**
26 **flexibility committee the topic of electric customer choice**
27 **programs.**
28 **(e) If the topic described in subsection (d) is assigned to the**
29 **regulatory flexibility committee, the regulatory flexibility**
30 **committee shall issue a final report to the legislative council**
31 **containing the regulatory flexibility committee's findings and**
32 **recommendations, including any recommended legislation**
33 **concerning the topic, in an electronic format under IC 5-14-6 not**

- 1 **later than November 1, 2013.**
- 2 **(f) This SECTION expires December 31, 2013."**
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 560 as reprinted February 12, 2013.)

and when so amended that said bill do pass.

Representative Koch