STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF NORTHERN INDIANA PUBLIC SERVICE COMPANY ("NIPSCO") FOR AUTHORITY TO MODIFY ITS RATES AND CHARGES FOR ELECTRIC UTILITY SERVICE; (2) APPROVAL OF NEW SCHEDULES OF RATES AND CHARGES APPLICABLE THERETO; (3) APPROVAL OF REVISED DEPRECIATION ACCRUAL RATES; (4) INCLUSION IN ITS BASIC RATES AND CHARGES OF THE COSTS ASSOCIATED WITH CERTAIN PREVIOUSLY APPROVED QUALIFIED POLLUTION CONTROL PROPERTY PROJECTS; (5) AUTHORITY TO IMPLEMENT A RATE ADJUSTMENT MECHANISM PURSUANT TO IND. CODE § 8-1-2-42(A) TO (A) TIMELY RECOVER CHARGES AND CREDITS FROM REGIONAL TRANSMISSION ORGANIZATION AND NIPSCO'S TRANSMISSION REVENUE REQUIREMENTS; (B) TIMELY RECOVER NIPSCO'S PURCHASED POWER COSTS; AND (C) ALLOCATE NIPSCO'S OFF SYSTEM SALES REVENUES; (6) APPROVAL OF VARIOUS CHANGES TO NIPSCO'S ELECTRIC SERVICE TARIFF INCLUDING WITH RESPECT TO THE GENERAL RULES AND REGULATIONS, THE ENVIRONMENTAL EXPENSE MECHANISM; (7) APPROVAL OF THE CLASSIFICATION OF NIPSCO'S FACILITIES AS TRANSMISSION OR DISTRIBUTION IN ACCORDANCE WITH THE FEDERAL ENERGY REGULATORY COMMISSION'S SEVEN-FACTOR TEST; AND (8) APPROVAL OF AN ALTERNATIVE REGULATORY PLAN PURSUANT TO IND. CODE § 8-1-2.5-1 *ET SEQ.* TO THE EXTENT SUCH RELIEF IS NECESSARY TO EFFECT THE RATEMAKING MECHANISMS PROPOSED BY NIPSCO.	)	CAUSE NO. 43526

JOINT MOTION FOR EXTENSION OF TIME

Northern Indiana Public Service Company ("NIPSCO"), Beta Steel, City of Hammond, Citizens Action Coalition, Indiana Municipal Utilities Group, Indiana Office of Utility

Consumer Counselor ("OUCC"), LaPorte County and NIPSCO Industrial Group, (collectively "Moving Parties"), by counsel, jointly move for an extension of the remaining prefiling deadlines in the procedural schedule in this cause as set forth below. In support of this Motion the Moving Parties state:

1. NIPSCO discovered errors in its cost-of-service study during the week of March 30 in the course of responding to discovery requests. NIPSCO advised the other Moving Parties by personal contacts and in data request responses of the errors. NIPSCO agreed to rerun its cost of service study with corrections. The corrected cost of service study model was provided on April 8th (which was less than two weeks before the testimony filing date for the consumer parties). NIPSCO has committed to providing corrected rate design, revenue proof and tariff information on April 10, 2009. The current deadline for the consumer parties to prefile their cases-in-chief is April 17, 2009.
2. As a result of discussions among the Moving Parties about the corrections, the Moving Parties request that the Commission extend the prefiling date for the Office of the Utility Consumer Counselor and other Intervening Parties by three weeks, to and including May 8, 2009, to extend the date for cross-answering testimony to May 29, 2009, and to extend NIPSCO's rebuttal filing to June 26, 2009. The Moving Parties also request that the various workpaper submission deadlines be extended by comparable periods. This Motion does not request a change in the hearing dates.
3. The Moving Parties also request approval of certain other agreements which have been reached in order to aid in the provision of information related to the cost-of-service study corrections. With regard to discovery, beginning April 13, 2009 and

ending May 8, 2009, each consumer party may submit up to 25 initial data requests including subparts to NIPSCO regarding its corrected cost-of-service study and NIPSCO shall answer those requests on an expedited basis of 5 business days. After the first set is answered, each party may submit up to an additional 25 follow-up data requests including subparts to be answered on the same expedited basis. It shall be up to the requesting party to designate which of its data requests shall receive expedited responses. Any other discovery shall be answered within the timeframes specified by the Pre-Hearing Conference Order.

4. NIPSCO shall make its experts with knowledge of the changes to its cost-of-service study available for a teleconference with other parties' experts to discuss the corrections to the cost of service study at a mutually agreeable time during the week of April 20.
5. NIPSCO shall not object to other parties making its corrected cost-of-service study an exhibit to their respective testimonial submissions.
6. If an attorney's conference would be helpful to the Commission in discussing any of these issues, counsel for the Moving Parties will make themselves available for such an attorney's conference at the Commission's convenience.

BACKGROUND

7. At the initial hearing in this cause, the direct testimony and exhibits of Robert D. Greneman were admitted in evidence including the results of NIPSCO's cost of service study. The cost of service study reflected revisions to incorporate the inclusion of NIPSCO's newly purchased combined-cycle generating station, Sugar Creek, into rates in a single-step rate adjustment (rather than in a second step as

originally proposed) as well as corrections provided on January 26, 2009, during the evidentiary hearing on NIPSCO's case-in-chief, relating to the unbilled revenue adjustment and sales volumes used in the study as well as to reflect the inclusion of fuel associated with lighting customers.

8. The OUCC and other consumer parties did not have access to a working electronic model of NIPSCO's cost-of-service study until March 17, 2009.

9. On April 1, 2009 counsel for NIPSCO advised counsel for the Industrial Group and other consumer parties of additional errors with NIPSCO's cost-of-service study which were discovered during the course of preparing responses to Industrial Group data requests 17-1 and 18-8. NIPSCO has also subsequently indicated the same error in 18-8 affects its responses to Industrial Group data requests 19-1, 19-2, 19-3 and 19-4.

10. NIPSCO also provided a list of eight corrections which is attached hereto as Exhibit "A" and the corrected cost-of-service model addressing the errors on April 8. NIPSCO will provide the rate design, revenue proof and tariff information by noon on April 10 with identification of two (2) additional changes to be made to the Revenue Proofs. By the end of the day April 10, NIPSCO will provide exhibits, schedules and workpapers labeled and formatted like NIPSCO's previous evidentiary submission.

11. The Moving Parties agree that Intervenors and OUCC should be given the opportunity to analyze and file their testimonies in response to the corrected version of NIPSCO's cost-of-service study to ensure that their own testimony truly and accurately represents the corrected results.

EXTENSION IS NECESSARY

12. A cost-of-service study is a central part of a utility rate case to the extent that it informs the Commission's decisions on how to allocate costs between the classes. Several of the Moving Parties believe there can also be interrelationships between revenue requirements and cost of service issues.

13. A three week extension of time is reasonable for all aspects of the testimony currently due on April 17.

14. There are 14 weeks between the original filing date of April 17 and the start of the evidentiary hearing on July 28. NIPSCO was to have 8 of those weeks to prepare its rebuttal and the other parties were to have 6 weeks for discovery and analysis of NIPSCO's rebuttal before the start of the hearing. The compromise reached by the parties reallocates this time such that NIPSCO will have 7 weeks to prepare its rebuttal, which is one week less than under the existing schedule. The Moving Parties recognize that the Commission and other parties' schedules have been set around the evidentiary hearing scheduled to begin in July and believe these changes will still provide sufficient time for the Commission, NIPSCO, Intervenors, and OUCC, to review all the testimony prior to the start of the evidentiary hearing. The Moving Parties believe that Commission resources are better preserved by resolution of these matters before intervenors' cases are filed, precluding the need to supplement, revise, or correct three or more sets of testimony for errors that are known to exist.

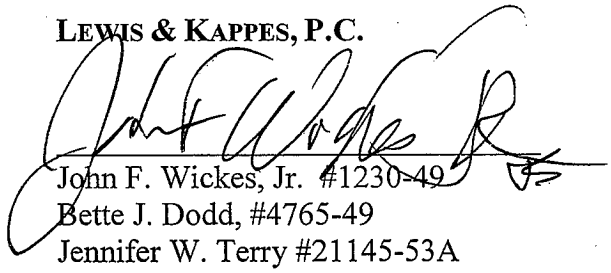
15. Counsel for the other parties who have appeared in this matter were contacted regarding this Motion. Newton County and the United Steelworkers do not object to

this Motion. At the time of filing this Motion, the City of Crown Point does not object to this Motion.

WHEREFORE, Northern Indiana Public Service Company ("NIPSCO"), Beta Steel, City of Hammond, Citizens Action Coalition, Indiana Municipal Utilities Group, Indiana Office of Utility Consumer Counselor ("OUCC"), LaPorte County and NIPSCO Industrial Group request an extension of time so that Intervenors and OUCC's respective testimonies be due on or before May 8 and workpapers relating thereto be due on or before May 15, cross-answering testimony be due on May 29, 2009 and workpapers relating thereto be due on June 2, and NIPSCO's rebuttal filing be due on June 26, 2009 and workpapers relating thereto be due on June 30 and for the discovery response time to be shortened as described in the Motion, and that the Commission approve the other appropriate procedural issues outlined in this Motion.

Respectfully submitted,

LEWIS & KAPPES, P.C.



John F. Wickes, Jr. #1230-49
Bette J. Dodd, #4765-49
Jennifer W. Terry #21145-53A
Steven W. Griesemer #24770-49

CERTIFICATE OF SERVICE

I, the undersigned hereby certifies that copies of the foregoing document has been served upon the following by electronic mail, hard copies available upon request, this 9th day of April, 2009:

A. David Stippler
Randall C. Helmen
Leja Courter
Stacie Gruca
OFFICE OF UTILITY CONSUMER COUNSELOR
115 W. Washington St., Ste. 1500 South
Indianapolis, IN 46204
dstippler@oucc.in.gov
rhelmen@oucc.in.gov
lcourter@oucc.in.gov
sgruca@oucc.in.gov
OFFICE OF UTILITY CONSUMER COUNSELOR

Daniel McGill
Nicholas K. Kyle
P. Jason Stephenson
Claudia J. Earls
BARNES & THORNBURG
11 S. Meridian St.
Indianapolis, IN 46204
dmcgill@btlaw.com
nicholas.kile@btlaw.com
jason.stephenson@btlaw.com
claudia.earls@btlaw.com
NIPSCO

David Nicholls
117 ½ W. Juliet Street
Crown Point, IN 46307
dhnicholls@ameritech.net
CITY OF CROWN POINT

Donald Levinson
Shana Levinson
122 W. 79th Avenue
Merrillville, IN 46410
donlevinson@airbaud.net
shanalevinson@airbaud.net
CITY OF HAMMOND

Christopher C. Earle
NIPSCO
101 W. Ohio Street, Suite 1707
Indianapolis, IN 46204
cearle@nisource.com
NIPSCO

Robert W. Wright
DEAN-WEBSTER, WRIGHT & KITE, LLP
50 South Meridian, Suite 500
Indianapolis, IN 46204
rwright@dwwlegal.com
LAPORTE COUNTY

Shaw Friedman
FRIEDMAN & ASSOCIATES
705 Lincolnway
LaPorte, IN 46350
sfriedman.associates@verizon.net
LAPORTE COUNTY

Jerome Polk
POLK & ASSOCIATES, LLC
309 West Washington Street, Ste. 233
Indianapolis, IN 46204
jpolk@polk-law.com
CITIZENS ACTION COALITION

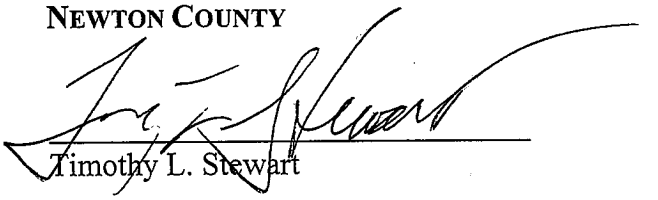
Anne Becker
STEWART & IRWIN, P.C.
251 E. Ohio St., Ste. 1100
Indianapolis, IN 46204
abecker@silegal.com
INDIANA MUNICIPAL UTILITIES GROUP

James Brew
BRICKFIELD, BURCHETTE, RITTS & STONE, P.C.
1025 Thomas Jefferson Street, N.W.
Eighth Floor – West Tower
Washington, D.C. 20007
jbrew@bbrslaw.com
BETA STEEL

Richard Aikman
STEWART & IRWIN, P.C.
251 E. Ohio St., Ste. 1100
Indianapolis, IN 46204
raikman@silegal.com
BETA STEEL

Anthony Alfano
UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO, CLC
1301 Texas Street – 2nd Floor
Gary, IN 46402
aalfano@usw.org
UNITED STEELWORKERS

Michael Terrell
Jonathan Bryant
TAFT STETTINIUS & HOLLISTER LLP
One Indiana Square, Suite 3500
Indianapolis, IN 46204
Terrell@taftlaw.com
jbryant@taftlaw.com
NEWTON COUNTY



Timothy L. Stewart

LEWIS & KAPPES, P.C.
One American Square, Suite 2500
Indianapolis, Indiana 46282
(317) 639-1210 (tel), (317) 639-4882 (fax)
JWickes@lewis-kappes.com
BDodd@lewis-kappes.com
JTerry@lewis-kappes.com
SGriesemer@lewis-kappes.com

Exhibit A

The corrections indicated below were made to the cost of service study. The corrections are highlighted in tan cells in both the cost study Excel file and the Acrobat printout as noted for each.

1. As indicated in the response to Industrials Set 17-001, a portion of the 536 load was inadvertently duplicated in the 534 4CP and 12 CP calculations. The 1CP, NCP, and SCM contributions were not impacted by this error for any rate. [Excel file: Load Data sheet, cells AL28, AL29; Acrobat file: page 231]

2. As indicated in the response to Industrials Sets including 18-008, 19-001 through 19-004, it was discovered that there were some problems in the manner in which 800 series expenses were translated to the 500 rate series. Changes were also made to correct for errors in the allocation of FERC accounts containing the specific assignments for allocators 18, 22, and 24. [Excel file: Allocation sheet, factors 18, 22 and 24; Acrobat file: pages 67-72, 105-108]

3. As indicated in the response to Industrials Set 20-002, it was discovered that there were two incorrect entries made. This has been corrected in cell references for Rate 847 primary and transmission load. [Excel file: Load Data sheet, U246, U249; Acrobat file: page 224]

4. Rate 844 was corrected for a slight over allocation of plant. [Excel file: Load Data sheet, S319; Acrobat file: page 229]

5. Minor corrections were made to revenues and demand for Rate 541 to eliminate double-counting of $33,355 Rate 842 revenues [Excel file: Load Data sheet: cell AN14; Acrobat file: page 232] and correct for 11 kW that were excluded from Rate 541. [Excel file: Load Data sheet: cells AN27:AN31; acrobat file: page 232]

6. A correction was made to add 16,881,965 kWh to Rate 526 that were inadvertently excluded to reflect the proposed on and off peak hours as defined in Rate 526. [Excel file: Load Data sheet: cell AI20; Acrobat file: page 231]

7. A correction was made to allocation factor 26, which relates to the allocation of utility receipts taxes. This factor, which was previously allocated based on book revenues, was corrected to allocate to classes based on pro forma revenues. [Excel file: Allocation sheet, allocation factor 26; Acrobat file: pages 70-72, 107, 108]

8. A correction was made to the 800 Rate series to include 500 Rate series normalizing adjustments for certain large customers that were inadvertently excluded from the 800 Rate series. [Excel file: Load Data sheet: J18, U18, W18; Acrobat file: pages 207, 209]