

Regulatory Analysis

TITLE 170 IAC 14
INDIANA UTILITY REGULATORY COMMISSION
LSA Document #26-173
IURC RM 26-02

I. Description of Rule

This rulemaking amends 170 IAC 14 which is the Indiana Utility Regulatory Commission's ("IURC") rule for small utilities filing for rate change.

a. History and Background of the Rule –

Based on HEA 1623 (P.L.249-2023), 170 IAC Article 14 would expire at the end of 2026. The IURC reviewed the expiring rules and determined that the rules should be updated for greater clarity and to reflect statutory changes. Indiana Code 8-1-2-61.5 was amended by SEA 472 (P.L.229-2019), and necessitated changes to the rule for the rule to be consistent with the amended statute.

170 IAC 14 was last amended in 2020 and only consists of one rule, 14-1. 170 IAC 14-1-1 through 14-1-6 were first promulgated in 1986, while 14-1-7 was first promulgated in 2008.

170 IAC 14-1-1 was amended in 1991, readopted in 2001 and 2007, amended in 2008, readopted in 2014, and amended in 2020.

170 IAC 14-1-2 was amended in 1991 and 2000, readopted 2001 and 2007, amended in 2008, readopted 2014, and amended in 2020.

170 IAC 14-1-3 was amended in 1991, readopted in 2001 and 2007, amended in 2008, and readopted in 2014 and 2020.

170 IAC 14-1-4 was amended in 1991, readopted in 2001 and 2007, amended in 2008, and readopted in 2014 and 2020.

170 IAC 14-1-5 was amended in 1991 and 2000, readopted in 2001 and 2007, amended in 2008, readopted in 2014 and 2020, and amended in 2020.

170 IAC 14-1-6 was amended in 1991 and 2000, readopted in 2001, readopted in 2007, amended in 2008, readopted in 2014, and amended in 2020.

170 IAC 14-7 was first promulgated in 2008, readopted in 2014, and amended in 2020.

b. Scope of the Rule –

This rulemaking updates the rule to reflect changes made to IC 8-1-2-61.5 that increase the number of customers a utility can have to qualify as a small utility. The rulemaking also brings greater clarity to the language and intent of the rule, make procedural expectations clear, make grammatical or non-substantive changes, and support the ability of the OUCC ("Office of Utility Consumer Counselor") to represent customers by giving

them more time to request a hearing. In section IV of this analysis, the different changes in each section are noted and explained through a table.

c. Statement of Need –

This rule is intended to update the existing rule and clarify specified timelines regarding procedures that may be used by small utilities in petitioning the Commission for changes to their rates. The threshold number of customers in 170 IAC 14-1 has not been updated since IC § 8-1-2-61.5 was amended in 2019. Pursuant to IC § 8-1-2-61.5, this rule provides rate changes for certain utilities without a public hearing, unless a hearing is requested. This rule also clarifies the notice procedures required, so that the public and OUCC have enough information to determine whether a hearing should be requested and how to go about making such a request. Updating and clarifying the rule will likely save the filing utility, the Indiana Office of Utility Consumer Counselor (“OUCC”), and the Commission time and money.

d. Statutory Authority for the Proposed Rule –

The Commission has statutory authority for this rulemaking under IC 8-1-2-61.5.

e. Fees, Fines, and Civil Penalties –

The amendment to 170 IAC 14 does not add or increase any fees, fines, or civil penalties.

II. Fiscal Impact Analysis

a. Anticipated Effective Date of the Rule

The Commission anticipates receiving approval from the Office of Management and Budget and State Budget Agency within thirty (30) days.

Assume fourteen (14) days for the Commission to approve the proposed rule.

Assume fourteen (14) days for the Legislative Services Agency (LSA) to publish the Notice of First Public Comment Period and Notice of Public Hearing in the Indiana Register.

Assume thirty (30) days for the first public comment period and public hearing.

Assume fourteen 14 days for staff to review the comments from the first public comment period.

If needed, assume fourteen (14) days for the Legislative Services Agency (LSA) to publish the Notice of Second Public Comment Period and Notice of Public Hearing in the Indiana Register.

If needed, assume thirty (30) days for the second public comment period and second public hearing.

If needed, assume five (5) days for staff to review the comments from the second public comment period.

Assume five (5) days for staff to assemble the rule packet.

Assume fourteen (14) days for the Commission to approve the final rule.

The Attorney General has forty-five (45) days to review the packet.

The Governor's office has up to thirty (30) days to review the packet.

The rule is effective thirty (30) days from the date the Legislative Services Agency accepts the rule for filing.

Assuming no need for a second comment period, the Commission anticipates the rule will be fully promulgated and effective by December 31, 2026.

b. Estimated Fiscal Impact on State and Local Government –

The IURC does not anticipate that any of the changes proposed in this rulemaking will impact the expenditures or revenues of the IURC. The changes will make rules easier to understand and implement, and address the issues identified in the table in section IV itemizing the changes. The changes will improve how all parties in a filing under the rule proceed but will have little or no impact on the IURC's budget or workload. Similarly, the OUCC should have minimal or no impact on their budget or workload. The resources of the OUCC and IURC will instead be better used as a result of the changes. The only added requirement to the OUCC is including one additional statement regarding if an agreement has been reached, which can be accomplished with a single sentence if needed. That will result in minimal or no impact on the OUCC's budget. Municipalities that file under this rule will not see any significant impact or additional cost to comply with the rule, as will be discussed in Section VI.

c. Sources of Expenditures or Revenues Affected by the Rule –

The proposed changes to the rule would not impact expenditures or revenues of State agencies or local governments, as described above.

III. Impacted Parties

Changes to 170 IAC 14-1 will impact parties who appear in the small utility application for rate change under the rule. These parties would include any potential individuals or group of individuals, OUCC, IURC, and all the Small Utilities that file under the rule.

Between 1990 and 2006, seventy-seven (77) utilities filed under 170 IAC 14. Between 2007 and April 8, 2026, fifty-five (55) utilities have filed under 170 IAC 14. The number of customers served by each utility ranges from three (3) customers to seven thousand and five hundred (7,500) customers, with an approximate total of ninety thousand, four hundred and fifty-nine (90,459) customers total.

The number of businesses that will be subject to this rule will probably increase gradually over time as property continues to be developed in Indiana and businesses that qualify for the Small Utility Rule continue to apply for authorization to offer utility services. However, it is unknown (and there is no way to know) how many businesses in the future may request authorization to offer utility services in Indiana that will also qualify to file under this rule and take advantage of the cost savings this rule has to offer.

For an example of the difficulty in estimation of future impacted parties, between 1990 and 2006, of the twenty-three (23) municipal utilities that filed under this rule, fifteen (15) have withdrawn from IURC jurisdiction. Of the forty-eight (48) other utilities that filed under this rule between 1990 and 2006, eight (8) have withdrawn from IURC jurisdiction and nine (9) are no longer in business. Customer information is available for thirty-eight (38) of the forty-five (45) utilities remaining under IURC jurisdiction that have previously filed under this rule between 1990 and 2006. These thirty-eight (38) utilities had approximately 32,450 customers as of the end of 2006.

Therefore, while the number of filings between 2007 and April 8, 2026 (77 utilities) and total customers (90,459) give some indication on the impacts or cost estimations, the Commission cannot determine (or reasonably estimate) at this time the number of businesses and individuals that will be affected by this rule. Similarly, it is unknown and speculative how many utilities will change ownership, obtain more customers than outlined in the statute, withdraw from IURC jurisdiction, no longer be in business, or otherwise no longer file under the rule.

IV. Changes in Proposed Rule

The changes in the proposed rule are itemized in the table below. Added language is highlighted in **bold**, while removed language is omitted to show a clear comparison side to side of the changes. The changes are described in the third column.

Citation	Prior Version	New Version	Description
170 IAC 14-1-1(f)	(f) "Incomplete application" means an application filed under section 2 of this rule in which one (1) or more of the elements specified is missing or incomplete. A blank not filled in or an interrogatory not answered in the form prescribed under section 2(b)(3) of this rule constitutes an incomplete element and therefore an incomplete application.	(f) "Incomplete application" means an application filed under section 2 of this rule in which one (1) or more of the elements specified is missing or incomplete. A required field not completed or a question not answered in the form prescribed under section 2(b)(3) of this rule constitutes an incomplete element and therefore an incomplete application.	Updated language for greater clarity on IURC submissions for better document references.
170 IAC 14-1-1(i)	(i) "Request for a formal public hearing" means: (1) a written statement that a formal public hearing is wanted; (2) filed with the secretary of the commission; and (3) signed by those making the request who meet at least one (1) of the following standing requirements: (A) A public or municipal corporation.	(i) "Request for a formal public hearing" means: (1) a written statement that a formal public hearing is wanted; (2) filed: (A) through the commission's electronic filing system; or (B) with the secretary of the commission; and (3) signed by those making the request who meet at least one (1) of the following standing requirements:	Updated language to reflect the practice already available that the request can be filed electronically. It has been an option but not listed by the rule, so updating the language for consistency.

	(B) Ten (10) individuals, firms, corporations, or associations. (C) Ten (10) complainants of any of these classes affected by the proposed rate change. (D) The OUCC.	(A) A public or municipal corporation. (B) Ten (10) individuals, firms, corporations, or associations. (C) Ten (10) complainants of any of these classes affected by the proposed rate change. (D) The OUCC.	
170 IAC 14-1-1(j)	(j) "Small utility" means a public or municipally owned utility subject to the rates and charges jurisdiction of the commission that: (1) serves less than five thousand (5,000) customers as of the date an application for rate change is filed; (2) primarily provides retail service to customers; and (3) does not serve extensively another utility.	(j) "Small utility" means a public or municipally owned utility subject to the rates and charges jurisdiction of the commission that meets the requirements listed in IC 8-1-2-61.5(a)(1), (2), and (3).	Updated language to match the requirements of IC 8-1-2-61.5 while also limiting the number of changes that will be needed in the future if further changes are made to the statute.
170 IAC 14-1-1(k)	(k) "Small utility rate change application form" means that current set of forms, schedules, blanks, and instructions generated by the commission and made available to those who would petition for a rate change under section 2 of this rule. The commission staff shall develop the set of forms, schedules, blanks, and instructions that comprise the small utility rate change application form. The forms may be revised from time to time as circumstances dictate. Furthermore, commission staff may periodically establish and publish generic rates of return for each type of utility to be used by utilities when submitting a small utility application form.	(k) "Small utility rate change application form" means that current set of forms, schedules, blanks, and instructions generated by the commission and made available to those who would petition for a rate change under section 2 of this rule. The commission staff shall develop the set of forms, schedules, blanks, and instructions that comprise the small utility rate change application form. The forms may be revised as needed. Furthermore, commission staff may periodically establish and publish generic rates of return for each type of utility to be used by utilities when submitting a small utility application form.	Updated language, cut on wordiness, and improve readability.

170 IAC 14-1-1(l)	N/A	(l) “Days” means calendar days	Added a new definition to eliminate unnecessary references to “calendar days” in the entirety of the rule to improve readability.
170 IAC 14-1-2(b)	(b) The application must include the following: (1) A copy of the proposed notice required in subsection (d)(1) exclusive of the date specified in subsection (d)(3) (A) Proof of publication of the actual notice required in subsection (d)(1) must be filed within fifteen (15) days after the filing of the application for rate change. (2) A copy of the proposed written notice required in subsection (d)(2) exclusive of the date specified in subsection (d)(3)(A). An actual copy of the notice required in subsection (d)(2) must be filed within fifteen (15) days after the filing of the application for rate change. (3) A complete small utility rate change application form in its current version, which form is available from the commission. (4) A copy of the resolution or ordinance of the utility's governing body that authorizes the application for rate change.	(b) The application must include the following: (1) A copy of the proposed notice required in subsection (d)(1) exclusive of the date specified in subsection (d)(3) (A) Proof of publication of the actual notice required in subsection (d)(1) must be filed within fifteen (15) days after the filing date of the application for rate change. (2) A complete small utility rate change application form in its current version, which form is available from the commission. (3) A copy of the resolution or ordinance of the utility's governing body that authorizes the application for rate change.	Updated language to cut the redundant language and bring added clarity. Removing the original section 14-1-2(b)(2) reduced the redundancy of the rule since the requirement is already present in 14-1-2(d)(2).
170 IAC 14-1-2(c)(2)	(2) Written consent from an agency of the federal government that is a creditor of the small utility that the utility may obtain an order affecting its rates	(2) If the utility has an outstanding indebtedness to the federal government, an evidentiary hearing on the application shall be held unless the utility has filed a written consent from an	Updated language for greater clarity on IURC procedures to reduce the amount of communication a utility must

	without a formal public hearing.	agency of the federal government that is a creditor of the utility that the utility may obtain an order affecting its rates without a formal public hearing.	make to understand what is required.
170 IAC 14-1-2(d)(2)	(2) Provision of written notice of the application for rate change to customers no later than ten (10) days after the filing of the application for rate change.	(2) Written notice of the application for rate change to customers no later than ten (10) days after the filing of the application for rate change. A copy of the written notice shall be filed in the docketed case within twenty (20) days of the application filing date.	Updated language for greater clarity and to require the notice to be submitted to the docketed case within 20 days.
170 IAC 14-1-2(d)(3)(B)	(B) The statement that the utility has filed its application for rate change under IC 8-1-2-61.5 without the necessary costs of a commission hearing; however, a formal public hearing by the commission may be held if: (i) a public or municipal corporation; (ii) ten (10) individuals, firms, corporations, or associations; (iii) ten (10) complainants of any of these classes affected by the proposed rate change; or (iv) the OUCC; requests a formal public hearing by filing a written signed request with the secretary of the commission. Written requests for a formal public hearing must be received by the commission within forty (40) days of the date the application for rate change	(B) The statement that the utility has filed its application for rate change under IC 8-1-2-61.5 without the necessary costs of a commission hearing; however, a formal public hearing by the commission or public field hearing may be held if: (i) a public or municipal corporation; (ii) ten (10) individuals, firms, corporations, or associations; (iii) ten (10) complainants of any of these classes affected by the proposed rate change; or (iv) the OUCC; requests a formal public hearing or public field hearing by filing a written signed request with the secretary of the commission. Written requests for a formal public hearing or public field hearing must be received by the commission within sixty (60) days of the date the application for rate change was filed with the commission.	Added “public field hearing” to bring greater clarity to the options the rule allows and extending the time from 40 days to 60.

	was filed with the commission.		
170 IAC 14-1-2(d)(3)(C)	(C) The overall approximate percentage increase in revenues requested by the utility. Furthermore, if the proposed increase is other than an across-the-board increase, then the approximate percentage increase to each class of customers must be described along with other information that fairly summarizes the nature and extent of the proposed change	(C) The overall approximate percentage increase in revenues requested by the utility. Furthermore, if the proposed increase is not an across-the-board increase, then the approximate percentage increase to each class of customers must be described along with other information that accurately summarizes the nature and extent of the proposed change	Updated language to better align with IURC practice, bring greater clarity, and reduce wordiness.
170 IAC 14-1-2(d)(3)(E)	If applicable, the amount of financing authority sought by the utility.	If applicable, documentation showing the amount of financing authority sought by the utility.	Updated the language to reflect what is required so that small utilities can submit documentation and reduce the amount of time they spend communicating back and forth on what is needed.
170 IAC 14-1-2(d)(3)(F)	The full name and current address and contact information for the commission.	The utility's full legal name, current address and contact information for the commission.	Updated the language for further clarity on what information is required to eliminate confusion when completing forms.
170 IAC 14-1-3(a)	In the event the initial application for rate change is an incomplete application, the commission staff shall file, within twenty (20) days of the date of the filing of the initial application, a report with the secretary of the commission. The report shall specify which	In the event the initial application for rate change meets the definition of an incomplete application, the commission staff shall file, within twenty (20) days of the filing date of the initial application, a report through the commission's electronic filing system . The report shall specify which elements of the	Updated the language to bring greater clarity on the expectations and procedures of the IURC.

	elements of the application are missing or incomplete.	application are missing or incomplete.	
170 IAC 14-1-3(b)	In the event the initial application for rate change is deemed an incomplete application under subsection (a), the time frames specified under: (1) section 4(a) of this rule; (2) section 5(a) of this rule; and (3) section 6(b) of this rule; shall not be counted from the date an incomplete application was originally filed, but shall be counted from the date the commission staff files a report with the secretary of the commission stating that the small utility has corrected the deficiencies specified in the staff report filed under subsection (a) and is otherwise complete.	In the event the initial application for rate change is deemed an incomplete application under subsection (a), the time frames specified under: (1) section 4(a) of this rule; (2) section 5(a) of this rule; and (3) section 6(b) of this rule; shall not be counted from the original filing date of the incomplete application was originally filed, but shall be counted from the filing date of the staff report filed under subsection (a) and is otherwise complete.	Updated language to reduce wordiness, clarify the proper date that will be used to eliminate any confusion.
170 IAC 14-1-4(a)	The OUCC staff shall review the application for rate change and, subject to section 3(b) of this rule, shall within ninety (90) calendar days after the filing of a complete application or substantive amendment to the application file a report with the secretary of the commission on the application making such recommendations as the OUCC deems appropriate. By order of the commission, the time for filing of the report may be extended if so requested by the OUCC.	The OUCC shall review the application for rate change and, subject to section 3(b) of this rule, shall within ninety (90) days after the filing of a complete application or substantive amendment to the application file a report on the application making such recommendations as the OUCC deems appropriate. The OUCC report shall be filed through the commission's electronic filing system. By order of the commission, the filing deadline of the OUCC report may be extended if requested by the OUCC.	Removed "calendar" to reflect the definition change, changed the description of the report to better align with what is typically filed and reduces unnecessary language. Updated language to reflect the practice of submitting the report to the electronic file.

170 IAC 14-1-4(a)(1)	N/A	(1) The OUCC report should state whether any degree of agreement exists and describe its details. The OUCC report should confirm if no agreement has been reached.	Added this section to reduce the amount of back and forth between the IURC and OUCC during the case, instead making it part of the report.
170 IAC 14-1-4(b)	If the small utility intends to submit a written response to the OUCC staff report, the small utility shall file a notice of its intention in writing with the secretary of the commission not later than fifteen (15) days following the date that the OUCC staff report.	If the small utility intends to submit a written response to the OUCC report, the small utility shall file a notice of its intention in writing through the commission's electronic filing system no later than fifteen (15) days following the filing date of the OUCC report.	Removed the word "staff" to be more consistent; updated language to reflect current IURC practices of notices being uploaded to the electronic system; and, cut wordiness for better clarity.
170 IAC 14-1-4(c)	If the small utility notice is filed under subsection (b), the small utility shall file its written response to the OUCC staff report within thirty (30) days of the date the notice is filed.	If the small utility notice is filed under subsection (b), the small utility shall file its written response to the OUCC report within thirty (30) days of the date the notice is filed.	Removed the word "staff" to be more consistent with the changes to the rest of the rule and provide greater clarity.
170 IAC 14-1-5(a)	Subject to section 3(b) of this rule, a request for formal public hearing on an application for rate change filed under this rule shall be filed with the secretary of the commission within forty (40) calendar days of the initial filing of the application for rate change, unless the commission extends the period for filing.	Subject to section 3(b) of this rule, a request for formal public hearing on an application for rate change filed under this rule shall be filed: (1) Through the commission's electronic filing system; or (2) with the secretary of the commission within sixty (60) days of the initial filing of the application for rate change, unless the commission extends the period for filing.	Provided additional options for parties to file for a hearing, which is consistent with current practices. Updated the date to 60 from 40 to reflect the changes made in 14-1-2-(d)(3)(B) to provide the OUCC with more time to file.
170 IAC 14-1-5(d)	In the event a formal public hearing is held, under this section, the small utility may elect to designate its	In the event a formal public hearing is held, under this section, the small utility may elect to designate its	Updated the language to reflect language used in the rest of rule for

	application to serve as its pre-filed evidence, constituting its case-in-chief; however, the small utility is not precluded from filing additional evidence.	application for rate change to serve as its pre-filed evidence, constituting its case-in-chief; however, the small utility is not precluded from filing additional evidence.	greater clarity and consistency.
170 IAC 14-1-6(a)	If no formal public hearing under IC 8-1-2-61.5(a), IC 8-1-2-61.5(b), or IC 8-1-2-61.5(c) is held, the commission may issue an order on the application for rate change based on the data in the application for rate change, the report filed by the staff concerning the application for rate change, and a written response of the small utility to the staff report.	If no formal public hearing under IC 8-1-2-61.5(a), IC 8-1-2-61.5(b), or IC 8-1-2-61.5(c) is held, the commission may issue an order on the application for rate change based on the data in the application for rate change, the report filed by the OUCC concerning the application for rate change, and a written response of the small utility to the OUCC report.	Removed references to “staff” to be consistent in the rule so that all parties know what report is being referenced and which party files it (the OUCC).
170 IAC 14-1-6(b)	Subject to section 3(b) of this rule, the commission shall not enter an order under this procedure until at least forty (40) days have elapsed from the date of the initial filing of the application for rate change.	Subject to section 3(b) of this rule, the commission shall not enter an order under this procedure until at least sixty (60) days have elapsed from the date of the initial filing of the application for rate change.	Added more time to coincide with the extended time periods in other sections and removed reference to “calendar” days due to updated definition in 14-1-1.
170 IAC 14-1-7	Under 170 IAC 1-1.5-1(e)(3), filings under this rule are exempt from the ex parte rules of the commission. However, if a formal public hearing is scheduled under IC 8-1-2-61.5(b), then the ex parte rules of the commission located in 170 IAC 1- 1.5 apply from the date the hearing is noticed, except that under 170 IAC 1-1.5-2, the proceeding shall be considered pending from the date the hearing is noticed rather than the thirty (30) days before the date of filing.	Under 170 IAC 1-1.5-1(e)(3), filings on the application for rate change under this rule are exempt from the ex parte rules of the commission. However, if a formal public hearing is scheduled under IC 8-1-2-61.5(b), then the ex parte rules of the commission located in 170 IAC 1- 1.5 apply from the date the hearing is noticed, except that under 170 IAC 1-1.5-2, the proceeding shall be considered pending from the date the hearing is noticed rather than the thirty (30) days before the date of filing.	Updated language to bring consistency in the different sections of the rule.

V. Benefit Analysis

a. Estimate of Primary and Direct Benefits of the Rule –

The benefits cannot be monetized or quantified. The benefit of many of the non-substantive changes is to clarify the language of the rules. The rule is intended for small utilities that may not have the resources to review thoroughly the IURC's rules, go through cases, or consult an attorney, so clarifying the rule is a qualitative benefit to those entities. Other changes were implemented to provide greater assistance to the OUCC, which can then provide better support to customers. Those changes related to the OUCC grant further qualitative benefits, but the amount of that benefit is entirely speculative and difficult to monetize or quantify. Since the rule was reviewed holistically, each section's readability, clarity, grammar, and consistency were evaluated. Changes made to each section save the time and resources of small utilities that file under the rule, allowing easier interpretation and comprehension. Those benefits also apply to the OUCC, IURC, and any member of the general public. The IURC believes these benefits to be significant.

b. Estimate of Secondary or Indirect Benefits of the Rule -

Indirect benefits are largely similar to the direct benefits. Revisions to improve the readability of the rules and to align with actual current practice assist regulated entities and their customers by requiring less legal support to apply the rules because they are more understandable to the lay person. Aiding the understanding of regulated utilities and other stakeholders eases the burden on the IURC as it needs to make fewer interpretations and may have fewer contested issues surrounding the rules' language. Time is saved on both ends of the case.

c. Estimate of Any Cost Savings to Regulated Industries –

The amount of cost savings is speculative and unquantifiable. With greater clarity to the rule, the small utilities filing under the rule will save time during the life of their case, which will translate to a speculative and unquantifiable cost savings.

VI. Cost Analysis

a. Estimate of Compliance Costs for Regulated Entities –

The only quantifiable cost would be if a utility must include in its notice an applicable document under changes to 170 IAC 14-1-2(d)(3)(E), it may require at least one additional page in their written notice to customers. As an estimate, for a utility with 6,000 customers, the cost would amount to around \$72. That is calculated for one 500-box of paper costing around \$6 and adding an additional single piece of paper for the applicable document to be included in the notice to each of the 6,000 customers, 12 boxes would be required, resulting in \$72, barring any discounts a utility can obtain for buying paper in bulk. To put it in the perspective of each customer, the additional piece of paper could cost approximately \$0.01 per customer. But if a utility does not have any applicable documents to include in the notice, they do not incur this additional cost. So, the cost calculation could be significantly lower than expected.

As mentioned in the instructions for Section IV, “[r]equirements that are imposed by another source of law should be excluded from the cost-benefit analysis.” If additional costs are imposed upon utilities due to the threshold increasing in IC 8-1-2-61.5, this analysis does not consider them. There is no additional cost as filing on day 40 requires the same amount of cost as day 60.

No additional costs, besides the paper calculation, are imposed by the changes to the rules.

b. Estimate of Administrative Expenses Imposed by the Rules –

There are no administrative expenses imposed on regulated entities due to the amendments to the rule.

c. The fees, fines, and civil penalties analysis required by IC 4-22-2-19.6 –

The rule does not add or increase a fee, fine, or civil penalty.

d. If the implementation costs of the proposed rule are expected to exceed the threshold set in IC 4-22-2-22.7(c)(6)

The costs of this rulemaking do not exceed one million dollars (\$1,000,000) for businesses, units, and individuals over any (2) year period.

e. Table of Benefits and Costs

Below is a table comparing the changes and their associated costs and benefits to assist showing the aggregation result. The table in Section IV can be referenced for the description of changes.

Citation	Description	Costs	Benefits
170 IAC 14-1-1(f)	Updated language for greater clarity on IURC submissions for better document references.	No additional costs imposed.	Benefits to clarity. Better references will more accurately identify where issues can occur to reduce the amount of time a utility may spend reviewing an application, communicating with the IURC, or handling an incomplete application. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-1(i)	Updated language to reflect the practice already available that the request can be filed electronically. It has been an option but not listed by the rule, so updating the language for consistency.	No additional costs imposed.	Benefits of clarification, so a utility does not need to spend additional time communicating to the IURC on their options to file. This will reduce the confusion to better align with current practices to help utilities, especially ones filing for the first time. These benefits apply to the utility, IURC, OUCC, and the general public that

			may participate or take an interest in the case.
170 IAC 14-1-1(j)	Updated language to match the requirements of IC 8-1-2-61.5 while also limiting the number of changes that will be needed in the future if further changes are made to the statute.	No additional costs imposed, as these requirements are due to a change in the statute.	Benefits of updating the rule to match the statute to eliminate confusion due to the discrepancy. The change will limit the number of changes that will be needed in the future. But these benefits are not included in the analysis, as instructed. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-1(k)	Updated language cut on wordiness and improve readability.	No additional costs imposed.	Benefits to readability and clarity for the reader. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-1(l)	Added a new definition to eliminate unnecessary references to “calendar days” in the entirety of the rule to improve readability.	No additional costs imposed.	Benefits to clarity by adding this definition up front to improve readability rule-wide and remove any confusion with some timelines referencing calendar days and others referencing non-calendar days. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-2(b)	Updated language to remove redundant language, bring added clarity. Removing the original section 14-1-2(b)(2) reduced the redundancy of the rule since the requirement is already present in 14-1-2(d)(2).	No additional costs imposed.	Benefits to clarity so the requirement is not repeated twice in the rule, reducing redundancy. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-2(c)(2)	Updated language for greater clarity on IURC procedures to reduce the amount of communication a utility must make to understand what is required.	No additional costs imposed.	Benefits to readability and clarity to provide utilities with a clearer description of what is required and what occurs if the requirements are met or not. This will reduce the amount of time a utility must spend communicating with the IURC to discuss what is needed or the process, reducing their costs. These benefits apply to the utility, IURC, OUCC, and the general public that may

			participate or take an interest in the case.
170 IAC 14-1-2(d)(2)	Updated language for greater clarity and requiring the notice to be submitted to the docketed case within 20 days.	No additional costs imposed.	This is not an added requirement but rather shifted from being referenced in 14-1-2(b). By keeping the two requirements in the same paragraph, rather than different subsections, it improves clarity and readability. This will reduce the amount of time a utility must spend communicating with the IURC to discuss what is needed or the process, reducing their costs. It also provides an additional 5 days for the utility to submit the documentation, which reduces administrative burden. Specifying submitting it to the docketed case also reduces confusion and reduces time a utility must spend to understand the requirement. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-2(d)(3)(B)	Added language of “public field hearing” to bring greater clarity to the options the rule allows and extending the time from 40 days to 60.	No additional costs imposed. It is unknown when filings will be made in the 60-day window, but at worst, an additional 20 days is unlikely to cost utilities. If they have to wait an additional 20 days, that should not impose any greater costs. It also does not cost the OUCC more to file on day 40 vs day 60.	Benefits of formalizing the option that has already existed of a public field hearing, which will reduce the amount of confusion or questions utilities or others may have, providing cost and time savings. Benefits of extending the time to 60 days provides the OUCC with more time to review each rate case and be in a better position to know if a hearing is required. This will allow the OUCC to better consider the interests of Hoosiers to represent their affordability concerns. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-2(d)(3)(C)	Updated language to be more aligned with IURC practice, bring	No additional costs imposed.	Benefits to readability and clarity. These benefits apply to the utility, IURC, OUCC, and the general public

	greater clarity, and reduce wordiness.		that may participate or take an interest in the case.
170 IAC 14-1-2(d)(3)(E)	Updated the language to reflect what is required so that small utilities can submit documentation and reduce the amount of time they spend communicating back and forth on what is needed.	The language still reads “as applicable”, so if the utility does not already have documentation, no requirement is being imposed to obtain or create it. Rather if they do have applicable documentation already, then it should be submitted. If showing the documentation requires more printed paper, that is a nominal cost to consider. Because this is an “if applicable” provision no further costs are imposed for every notice.	Benefits to clarify a utility can submit documents showing the amount. If a utility already has documentation that is easy to access, they only need to include that document, rather than spending time trying to put information together. It will also reduce the amount of time a utility spends communicating with the IURC on what they can put in the notice. Together, it results in time savings for the utility. Benefits to customers who receive the written notice can have more accurate information when reviewing the notice to allow them to be informed about possible rate increases. That direct information provides greater transparency. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-2(d)(3)(F)	Updated the language for further clarity on what information is required to eliminate confusion when completing forms.	No additional costs imposed.	Benefits for clarity on what name is required, reducing confusion and the time spent communicating with the IURC what is needed for the notice. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-3(a)	Updated the language to bring greater clarity on the expectations and procedures of the IURC.	No additional costs imposed.	Benefits for clarity on what name is required, reducing confusion and the time spent communicating with the IURC what is needed for the notice. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.

170 IAC 14-1-3(b)	Updated language to reduce wordiness, clarify the proper date that will be used with the goal of eliminating confusion.	No additional costs imposed.	Benefits for clarity, readability by cutting down on wordiness. Making the date that will be counted clearer to reduce confusion and save time. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-4(a)	Removed “calendar” to reflect the definition change, changed the description of the report to better align with what is typically filed and reduce unnecessary language. Updated language to reflect the practice of submitting the report to the electronic file.	No additional costs imposed.	Benefits of consistency with the new structure and definition of the rule. Benefits of making it clearer how the utility should file its response to save them time and reduce confusion. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-4(a)(1)	Added this section to reduce the amount of back and forth the IURC and OUCC need to do during the case, instead making it part of the report.	No additional costs imposed. The OUCC often includes this information already, and the rule does not impose any additional work on the OUCC that would incur additional costs.	Benefits to reducing the amount of time the OUCC and IURC staff need to communicate back and forth on if an agreement is reached. Provides greater consistency between filings and can increase the speed in which the IURC can issue an order, benefiting the filing utility. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-4(b)	Removed the word “staff” to be more consistent, updated language to reflect current IURC practices of notices being uploaded to the electronic system, and cutting wordiness for better clarity.	No additional costs imposed.	Benefits of making it clearer how the utility should file its response to save them time and reduce confusion. Greater savings are also made by making it clear which staff report should be responded to. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-4(c)	Removed the word “staff” to be more consistent with the	No additional costs imposed.	Benefits to consistency with the rest of the changes that brings greater clarity to the filing utility, reducing

	changes to the rest of the rule and provide greater clarity.		their confusion and time needed to work on the case. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-5(a)	Provided additional options for parties to file for a hearing that is consistent with current practices. Updated the date to 60 from 40 to reflect the changes made in 14-1-2-(d)(3)(B) to provide the OUCC with more time to file.	No additional costs imposed. The utility will not be impacted by a potential 20 additional days added to the procedural timeline, and the time savings in other changes in the rule should limit or eliminate the additional time granted with this change.	Benefits to making it clear to outside entities that filing electronically is an allowed option, reducing time spent communicating questions and making the procedural aspects smoother to align the rule with current practices. Benefits to providing entities with 20 additional days to file for a hearing, allowing the OUCC and individuals with more time to read and understand the filing. That additional time allows the OUCC to better represent the interests of customers. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-5(d)	Updated the language to reflect language used in the rest of rule for greater clarity and consistency.	No additional costs imposed.	Benefits of consistency with the new structure and definition of the rule to reduce confusion. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-6(a)	Removed references to “staff” to be consistent in the rule so that all parties know what report is being referenced and which party files it (the OUCC).	No additional costs imposed.	Benefits to consistency with the rest of the changes that brings greater clarity. Benefits so that the utility can more easily understand which report is being referred to, saving them time. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-6(b)	Added more time to coincide with the extended time periods in other sections and removed reference to “calendar” days due to updated definition in 14-1-1.	No additional costs imposed.	Benefits of providing more time for utilities, OUCC, and individuals to work on the case without worry of an order prior to parties being ready. With the additional time added to request a hearing, aligning the timelines of a hearing with a potential IURC provides qualitative benefits to clarity and consistency. These

			benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.
170 IAC 14-1-7	Updated language to bring consistency in the different sections of the rule.	No additional costs imposed.	Qualitative benefits of consistency with the rest of the rule to eliminate any potential confusion and improve clarity. These benefits apply to the utility, IURC, OUCC, and the general public that may participate or take an interest in the case.

VII. Sources of Information

a. Independent Verifications or Studies -

No independent verification or studies exist regarding the policy rationale and types and quantification of the costs and benefits.

b. Sources Relied Upon in Determining and Calculating Costs and Benefits –

For the preparation of this cost benefit analysis and other financial impact statements, the General Counsel’s Office of the IURC relied on discussions with Commission staff and documents on file with the Commission.

VIII. Regulatory Analysis

Based on the aggregated tally of the costs and benefits identified in Section V and VI, the IURC concludes that the qualitative benefits of increased clarity, streamlined procedure, correctly reflecting statutory changes, formalizing practices, greater transparency to customers, and greater opportunity for the OUCC to represent customer interests outweigh the negligible costs of implementation. The one qualitative cost for the utility to include any applicable documentation with its written notice is outweighed by numerous benefits of the amendments. 170 IAC 14 represents significant cost savings for eligible utilities compared to a normal rate case, and the IURC intends to minimize any additional costs incurred from proposed changes.

Therefore, the benefits of this rulemaking amending 170 IAC 14 greatly exceed the nearly nonexistent costs.

IX. Contact Information of Staff to Answer Substantive Questions

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Additional Information for OMB and SBA Review

X. Redline Draft of Proposed Rule

Attached.

XI. Resubmission Information (if applicable)

Not Applicable