

ORIGINAL

Commissioner	Yes	No	Not Participating
Zay	√		
Deig	√		
Swinger	√		
Veleta	√		
Ziegner			√

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

Notice of Proposed Interim Rulemaking

IURC RM #26-06
LSA #26-162

The Indiana Utility Regulatory Commission (the “Commission”), pursuant to IC 8-1-1-3(g), IC 8-1-2-121, and IC 8-1-46-27, hereby proposes an interim rulemaking to supersede and amend 170 IAC 4-1-1, 170 IAC 4-1-16.6, 170 IAC 4-1-23, 170 IAC 5-1-1, and 170 IAC 5-1-16.6, and to supersede and suspend 170 IAC 4-1-16.5 and 170 IAC 5-1-16.5 regarding the Commission’s rules on disconnection moratoriums for electric and gas utilities and for service restoration reporting requirements for electric utilities.

The Secretary of the Commission is hereby directed to forward a copy of the attached proposed interim rule to the Indiana Legislative Services Agency for publication in the Indiana Register and the establishment of a public comment period.

IT IS SO ORDERED.

ZAY, DEIG, SWINGER, AND VELETA CONCUR; ZIEGNER ABSENT:

APPROVED: MAY 20 2026

**I hereby certify that the above is a true
and correct copy of the Rule as approved.**

Dana Kosco

Digitally signed by
Dana Kosco
Date: 2026.05.20
10:20:38 -04'00'

**Dana Kosco
Secretary to the Commission**

Proposed Interim Rule

SECTION 1. (a) This SECTION supersedes 170 IAC 4-1-1

(b) Where applicable, the definitions in IC 8-1-2-1 and this section apply throughout this article.

(c) "Commission" means the Indiana utility regulatory commission.

(d) "Customer" means any:

- (1) person;**
- (2) firm;**
- (3) corporation;**
- (4) municipality; or**
- (5) other government agency;**

that has agreed, orally or otherwise, to pay for electric service received from a utility; provided, that for the purposes of sections 13(d), 15, 16, and 16.6 of this rule, the term shall be limited to mean persons who have agreed to pay for such service exclusively for residential purposes. This definition does not apply to section 23 of this rule.

(e) "Disconnection" means the termination or discontinuance of electric service.

(f) "Disconnection moratorium" means the timeframes during which an electric utility may not disconnect electric residential service to any customer who:

- (1) is receiving; or**
- (2) who is eligible for and has applied for;**

assistance under IC 4-4-33.

(g) "Heat index moratorium days" means the days described in section 16.6(b)(2) of this rule.

(h) "Late payment charge" means the one (1) time penalty assessed by a utility upon all current bills at such time as they become delinquent.

SECTION 2. (a) This SECTION supersedes 170 IAC 4-1-16.6

(b) Unless a customer requests to be disconnected, an electric utility may not disconnect a customer who is receiving, or is eligible for and has applied for, assistance under IC 4-4-33 during the following disconnection moratorium timeframes:

- (1) December 1 through March 15.**
- (2) For a non-municipal electric utility, on any day for which a local weather forecast office of the National Weather Service has forecast, not earlier than forty-eight (48) hours in advance, a heat index of at least ninety-five (95) degrees Fahrenheit for a county or part of a county within an electric utility's assigned service area under IC 8-1-2.3, for customers who receive residential electric service from the electric utility at a location to which the forecasted heat index applies.**

(c) During the disconnection moratorium timeframes listed in subsection (b) above, a utility may not disconnect service to such customer if:

- (1) The customer's eligibility to receive benefits pursuant to IC 4-4-33 is being determined by the Indiana housing and community development authority (IHCDA) or its designee after the submission of a complete application for benefits by the customer.**

(2) The customer has furnished to the utility proof of his application to receive such benefits or the utility has been so notified in writing by the IHCDA or its authorized representatives.

(d) If:

(1) an electric utility has provided a notice of disconnection to a customer described in subsection (c)(2) before the local weather forecast office of the National Weather Service forecasts a heat index described in subsection (b)(2) for the customer's service location; and

(2) the fourteen (14) day period following the issuance of the disconnection notice during which the electric utility is prohibited from terminating the customer's electric service under section 16 of this rule includes one or more heat index moratorium days ;

the fourteen (14) day period described in subdivision (2) is tolled and stops running during any heat index moratorium days and resumes on days that are not heat index moratorium days.

(e) This rule [170 IAC 4-1] does not prohibit a utility from terminating residential electric service upon the request of a customer or under the following circumstances:

(1) If a condition dangerous or hazardous to life, physical safety, or property exists.

(2) Upon order by any court, the commission, or other duly authorized public authority.

(3) If fraudulent or unauthorized use of electricity is detected, and the utility has reasonable grounds to believe the affected customer is responsible for such use.

(4) If the utility's regulating or measuring equipment has been tampered with and the utility has reasonable grounds to believe that the affected customer is responsible for such tampering.

SECTION 3. (a) This SECTION supersedes 170 IAC 4-1-23.

(b) For purposes of this section, the following definitions apply:

(1) "Business days" means all days other than:

(A) Saturday;

(B) Sunday; or

(C) a legal holiday observed by the state of Indiana.

(2) "Customer" has the meaning set forth in IC 8-1-46-3.

(3) "Customer average interruption duration index (CAIDI)" has the meaning set forth in IC 8-1-46-5.

(4) "Customer of record" means any:

(A) person;

(B) firm;

(C) corporation;

(D) municipality; or

(E) other government agency;

which has agreed, orally or otherwise, to pay for electric service received from a utility.

(5) "Interruption" means the loss of electrical service to one (1) or more customers connected to the distribution portion of the system.

(6) "Major event day" or "MED" has the meaning set forth in IC 8-1-46-8.

(7) "Nonbusiness days" means:

- (A) Saturday;
 - (B) Sunday; or
 - (C) a legal holiday observed by the state of Indiana.
 - (8) "Planned service interruption" means a service interruption initiated by the utility to perform scheduled activities, such as, but not limited to:
 - (A) maintenance;
 - (B) infrastructure improvements; and
 - (C) new construction due to customer growth.
 - (9) "Sustained service interruption" has the meaning set forth in IC 8-1-46-15.
 - (10) "System average interruption duration index (SAIDI)" has the meaning set forth in IC 8-1-46-16.
 - (11) "System average interruption frequency index (SAIFI)" has the meaning set forth in IC 8-1-46-17.
 - (12) "Utility" has the same meaning as an electricity supplier as set forth in IC 8-1-46-6.
- (c) The requirements for the reporting of sustained service interruptions are as follows:
- (1) A utility shall report any interruption in service that is not a planned service interruption:
 - (A) lasting two (2) hours or more; and
 - (B) affecting two percent (2%) or five thousand (5,000) customers, whichever is fewer.
- An initial report shall be made to the commission by the next regularly scheduled interval as provided in subdivision (2) and updates shall be made to the commission at each regularly scheduled interval until electrical service has been restored to the level below that of the threshold described in clause (B). The report indicating that all electrical service has been restored to the level below that of the threshold described in clause (B) shall be noted as the "final report" for each interruption period.
- (2) The regularly scheduled intervals for reporting times shall be as follows:
 - (A) On business days: 6:00 a.m., 9:00 a.m., 11:00 a.m., 2:00 p.m., 4:00 p.m., and 9:00 p.m., Eastern Standard Time (EST) (Indianapolis time).
 - (B) On nonbusiness days: 6:00 a.m., 2:00 p.m., and 9:00 p.m. Eastern Standard Time (EST) (Indianapolis time).
 - (3) Service interruption reports that occur during business days shall be submitted to the commission and the office of the utility consumer counselor via commission prescribed format. The preferred method of reporting is via electronic mail; however, telephone or other types of reports may be made if coordinated in advance with commission staff.
 - (4) In the case of an extreme emergency, a different schedule for status reporting may be agreed to by the commission and the utility until the emergency has ended.
 - (5) The commission shall notify the utility if a written report or further information is required after the final report is submitted.
 - (6) This subsection shall not apply to a curtailment or an interruption of service to customers receiving service under interruptible rate classifications when the curtailment or interruption of service occurs pursuant to the affected retail customer's service agreement.

(d) Whenever service is intentionally interrupted for any purpose, the utility shall, except in emergencies, make reasonable attempts to minimize the inconvenience to affected customers of record. The utility shall make reasonable attempts to notify in advance customers of record whose service is expected to be interrupted for more than one (1) hour for scheduled maintenance or facilities upgrades, consistent with safety and security considerations. This rule does not apply to customer interruptions pursuant to an interruptible tariff or agreement approved by the commission.

(e) Utilities shall first attempt to restore service that affects public health and safety. Each utility shall have written procedures for designated employees to follow in emergencies.

The procedures shall contain at least the following:

(1) Notification procedures for emergency response personnel.

(2) General location or locations of:

(A) equipment;

(B) tools; and

(C) materials;

normally needed to restore service.

(3) Procedures for notifying:

(A) fire;

(B) police;

(C) medical; and

(D) other public;

officials.

(f) Each utility shall submit a service restoration performance report to the commission's energy division on or before March 1 of each year. Each report filed under this section shall include data from the recently concluded six (6) calendar years. The report shall contain the following information for the utility's system in Indiana as a whole:

(1) The reliability indices SAIDI, CAIDI, and SAIFI, with major event days.

(2) The reliability indices SAIDI, CAIDI, and SAIFI, without major event days.

(3) The number of customers used by the utility for the calculations of the indices required in subdivisions (1) and (2).

The utility shall report these data and analyses on a form prescribed by the commission.

(g) The commission may require that data be reported by the utilities to determine whether a utility is providing service consistent with this rule. The utility shall maintain historical CAIDI, SAIDI, SAIFI, and supporting data needed to calculate those indexes for a minimum of seven (7) years.

SECTION 4. (a) This SECTION supersedes 170 IAC 5-1-1.

(b) The definitions in this section and, where applicable, the definitions in IC 8-1-2-1 apply throughout this rule.

(c) "Check rate" means thirty-five percent (35%) of a meter's rated capacity.

(d) "Commission" means the Indiana utility regulatory commission.

(e) "Cubic foot of gas" means, for testing purposes, the amount of gas in a volume of one (1) cubic foot when saturated with water vapor, at sixty (60) degrees Fahrenheit and at an absolute pressure of thirty (30) inches of mercury at a temperature of thirty-two (32) degrees Fahrenheit.

(f) "Customer" means any:

(1) person;

- (2) firm;
- (3) corporation;
- (4) municipality; or
- (5) other government agency;

that has agreed, orally or otherwise, to pay for gas service received from a public utility. However, for the purposes of sections 13(d), 15, 16, and 16.6 of this rule, the term shall be limited to mean persons who have agreed to pay for such service exclusively for residential purposes.

(g) "Disconnection" means the termination or discontinuance of gas service.

(h) "Disconnection moratorium" means the timeframes during which a gas utility may not disconnect gas residential service to any customer who:

- (1) is receiving; or
- (2) who is eligible for and has applied for;

assistance under IC 4-4-33.

(i) "Late payment charge" means the one (1) time penalty assessed by a public utility upon all current bills at such time as they become delinquent.

(j) "Open rate" means eighty percent (80%) of a meter's rated capacity.

SECTION 5. (a) This SECTION supersedes 170 IAC 5-1-16.6.

(b) Unless a customer requests to be disconnected, a gas utility may not disconnect a customer who is receiving, or is eligible for and has applied for, assistance under IC 4-4-33 during the disconnection moratorium period from December 1 through March 15.

(c) During the disconnection moratorium timeframe listed in subsection (b) above, a utility may not disconnect service to such customer if:

- (1) The customer's eligibility to receive benefits pursuant to IC 4-4-33 is being determined by the Indiana housing and community development authority (IHCDA) or its designee after the submission of a complete application for benefits by the customer.**
- (2) The customer has furnished to the utility proof of his application to receive such benefits or the utility has been so notified in writing by the IHCDA or its authorized representatives.**

(d) This rule [170 IAC 5-1] does not prohibit a utility from terminating residential gas service upon the request of a customer or under the following circumstances:

- (1) If a condition dangerous or hazardous to life, physical safety, or property exists.**
- (2) Upon order by any court, the commission, or other duly authorized public authority.**
- (3) If fraudulent or unauthorized use of gas is detected, and the utility has reasonable grounds to believe the affected customer is responsible for such use.**
- (4) If the utility's regulating or measuring equipment has been tampered with and the utility has reasonable grounds to believe that the affected customer is responsible for such tampering.**

SECTION 6. THE FOLLOWING ARE SUSPENDED: 170 IAC 4-1-16.5; 170 IAC 5-1-16.5

SECTION 7. This document takes effect on the date and time the Interim Final Rule is accepted for filing with the publisher.

SECTION 8. This document expires four hundred twenty-five (425) days after the publisher accepts the Interim Final Rule for filing.