

Indianapolis, Indiana
August 18, 2009
9:30 A.M. (EDT)

JUDGE STORMS: This is a
Prehearing Conference and Preliminary Hearing
before the Indiana Utility Regulatory
Commission in a cause docketed before the
Commission as Cause No. 43743 captioned as
"Petition of Duke Energy Indiana, Incorporated
for approval of authority for deferred
accounting treatment for operating expenses
associated with the restoration of extensive
system damage resulting from the January 27,
2009 ice storm."

Notice of the time and place of
the hearing was given as provided by law by
publication in Marion County in the
Indianapolis Star and in Hendricks County in
The Weekend Flyer and the Hendricks County
Republican. Each of said newspapers is a
newspaper of general circulation, printed and
published in the English language in their
respective counties, and said publications
were made ten days prior to the date of the

1 Prehearing Conference and Preliminary Hearing.
2 The proofs of publication of the notices have
3 been received by the Commission and are now
4 incorporated into the record of this cause by
5 reference and placed in the official files of
6 the Commission. Notice has also been given to
7 the Office of Utility Consumer Counselor and
8 other interested parties.

9 May we have appearances of
10 counsel, please?

11 MS. PRICE: Thank you, Your Honor.
12 On behalf of Duke Energy Indiana, Melanie D.
13 Price, Plainfield, Indiana.

14 MR. REED: And appearing on behalf
15 of the Public, Jeff Reed, Indiana Office of
16 Utility Consumer Counselor.

17 JUDGE STORMS: Okay. Prior to
18 going on the record, the parties had a
19 discussion and have reached an agreement on a
20 procedural schedule.

21 Ms. Price, can you read the
22 parties' agreement into the record, please?

23 MS. PRICE: Yes, Your Honor.

24 On August 27, 2009, Duke Energy
25 Indiana will file its testimony and exhibits

1 constituting its case-in-chief.

2 On October 22, the OUCC and any
3 intervenors will file their testimony and
4 exhibits constituting their cases-in-chief.

5 On November 5, Duke Energy Indiana
6 will file rebuttal, if needed.

7 As to the discovery, the parties
8 have agreed that prior to the OUCC and any
9 intervenors filing testimony will be ten
10 calendar days for discovery.

11 Once the OUCC files its testimony,
12 it will be five business days, and once Duke
13 Energy Indiana files its rebuttal, it will be
14 five calendar days.

15 JUDGE STORMS: Is that your
16 understanding as well, Mr. Reed?

17 MR. REED: Likewise, Your Honor,
18 as has been our history in the past, discovery
19 served after noon on Friday will be considered
20 received the following Monday morning.

21 We will -- the parties will
22 provide all filings including discovery all
23 electronically, Your Honor.

24 JUDGE STORMS: Okay. The hearing
25 date in this matter is scheduled, by agreement

1 of the parties, for November 12, 2009 at 1:30
2 P.M. in Room 222.

3 Anything else? If there's nothing
4 further, we're hereby continued to
5 November 12, 2009 at 1:30 P.M. in Room 222.
6 Thank you.

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20 (PREHEARING CONFERENCE ADJOURNED)

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23 (HEARING SET FOR NOVEMBER 12, 2009 AT
24 1:30 P.M. (EST) IN ROOM 222 OF THE
25 NATIONAL CITY CENTER, INDIANAPOLIS, INDIANA)