

July 2, 2021

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*Electronically delivered*

Dear General Counsel Heline:

Thank you for the opportunity to provide additional input and feedback on improving procedural efficiencies before the Indiana Utility Regulatory Commission (“Commission”). Citizens Action Coalition of Indiana (“CAC”) hereby provides the following recommendations and comments on the draft 2021 Improving Procedural Efficiencies Issues List:

**I. Minimum Standard Filing Requirements Rule Amendment**

CAC would recommend that the MSFR rules apply to all non-small utility rate cases, not just those filed under IC Section 8-1-2-47.2 and/or under the 300 day time constraint.

**II. Demand Side Management (“DSM”) – Energy Efficiency (“EE”) Proceedings:**

CAC appreciates the Commission’s 2021 IPE Issues List Item (II)(E) which contemplates the utilities providing certain items as part of their DSM filings. CAC would respectfully recommend, however, that the Commission simply provide the utilities with a spreadsheet, like the LBNL spreadsheet that CAC provided in its June 12, 2020 submission (see also: <https://emp.lbl.gov/publications/energy-efficiency-reporting-tool>). By providing a spreadsheet for the utilities to simply fill out with the required information, it will provide a consistent and clear reporting structure to present important data in a standard format. It will increase efficiency in reducing the time needed for the Commission and interested parties to assess reporting and other compliance, as well as provide the ability to benchmark and evaluate demand-side resource program strategies and efficacy of administration and implementation.

With regard to the Commission’s 2021 IPE Issues List Item (II)(F), CAC is concerned about any deviation from the nationally accepted, standard definitions for cost effectiveness tests. Indiana’s definitions for cost effectiveness tests should mirror nationally accepted, standard definitions for cost effectiveness tests.

**III. Additional Issues:**

First, CAC would respectfully urge the Commission to reconsider participation in settlement conferences at early stages of litigation with Commission staff, for purposes of promoting informal dispute resolution or more formal mediation activities with a person trained in conflict resolution. CAC believes that this would save valuable Commission resources and lead to more satisfactory and conciliatory proceeding resolutions. CAC would also request that the Commission require that all parties be invited to participate in any settlement negotiations. The Commission should consider the great efficiencies that could be achieved if the rules encouraged

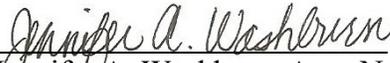
parties to reach unanimous settlement agreements or at least invite all parties to participate in any settlement negotiations from the outset.

Next, CAC would again recommend the Commission use or alter the Decision Matrices that the Wisconsin Public Utility Commission issues to guide (1) the indexing of issues throughout the case, and (2) proper proposed orders and post-hearing briefing. This process would help expedite the Commission's review of said issues and put the onus on the parties in terms of outlining the issues they want addressed and then providing the necessary information in a clear, consistent way. In particular, the Wisconsin PUC Decision Matrix first poses the issue in the form of a question, next explaining the issue scope, and finally leaving space for the parties to fill in a brief summary of their respective positions for that particular issue, including the amount the party position would cost and the applicable and supporting transcript references. Commission alternatives are then outlined at the bottom so the various parties can plug in their respective proposed requested relief alternatives. CAC understands that the parties before the Wisconsin PUC can suggest edits or additional issues for inclusion on the Decision Matrix in a given proceeding, and then parties are expected to fill out their respective positions and other required information. In addition to using this as a guide for proposed orders, this could easily be altered to use as an issues index that the parties use throughout the case process, beginning with the utility petition. For the proposed order and post-hearing briefing stage of the case, the parties and Commission could then use a similar format as the Wisconsin Public Utility Commission. CAC provided examples of the Wisconsin PUC orders in its June 12, 2020 submission.

Finally, CAC requests that the Commission require that all parties be served discovery requests and responses, subject to the protection of confidential information. While most utilities serve all parties, some do not, which leads to "gotcha" moments and an erosion of camaraderie in the utility bar.

Thank you again for this opportunity. We hope these comments are helpful, and we sincerely look forward to continuing our participation in this process. Please feel free to reach out with any questions or concerns.

Respectfully submitted,

  
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