

ORIGINAL

Commissioner	Yes	No	Not Participating
Huston	√		
Bennett	√		
Freeman	√		
Veleta	√		
Ziegner	√		

**GENERAL ADMINISTRATIVE ORDER
OF THE INDIANA UTILITY REGULATORY COMMISSION
2023-05
Updated TED Project Procedures**

WHEREAS, in 2016 the Indiana Utility Regulatory Commission (“Commission” or “IURC”) adopted General Administrative Order (“GAO”) 2016-6 to establish procedures regarding the submission of targeted economic development projects (“TED Projects”) for approval; and

WHEREAS, in 2019 the General Assembly amended Indiana Code §§ 8-1-39-9 and 8-1-39-10 to allow public utilities providing electric service to submit petitions to the Commission for approval of TED Projects; and

WHEREAS, Indiana Code § 8-1-39-11 allows public utilities providing natural gas and/or electric service to apply to the Indiana Economic Development Corporation (“IEDC”) for approval to treat costs associated with TED Projects as transmission, distribution, and storage system improvement charge (“TDSIC”) costs; and

WHEREAS, Indiana Code § 8-1-39-17 provides that the Commission may adopt by order procedures that the Commission finds reasonable or necessary to administer a TDSIC, including the submission of TED Projects; and

WHEREAS, the IEDC has reviewed the Updated TED Project Procedures attached as Appendix A and the IEDC has stated in writing (attached as Appendix B) that these procedures are acceptable; and

WHEREAS, the Commission has further determined that it is in the public interest to provide procedures for the approvals required by the Commission and by the IEDC regarding TED Projects; and

WHEREAS, it is necessary that the TED Project Procedures be amended to establish the expectation that testimony and exhibits regarding the proposed TED Projects will be filed at the same time as the utility’s petition;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Updated TED Project Procedures, which are attached to this General Administrative Order as Appendix A, be adopted by this Commission, and that GAO 2016-6 is hereby superseded by this General Administrative Order.

HUSTON, BENNETT, FREEMAN, VELETA, AND ZIEGNER CONCUR:

APPROVED: AUG 16 2023

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

Dana Kosco, Secretary of the Commission

General Administrative Order 2023-05
Updated TED Project Procedures
Appendix A

Updated Procedures for Targeted Economic Development Project Approval

- 1) A public utility providing gas or electric service may petition the Indiana Utility Regulatory Commission (“IURC” or “Commission”) for approval of a targeted economic development project (“TED Project”) as part of the public utility’s petition for a five (5) to seven (7) year transmission, distribution, and storage system improvement charge (“TDSIC”) plan or as part of the public utility’s petition for a plan in which the public utility’s five (5) to seven (7) year plan is updated. (See Ind. Code §§ 8-1-39-9(b) and 8-1-39-10(c).) The petition shall include a request for the creation of a subdocket to address approval of the TED Project. On the same day as the public utility files its petition and request for a subdocket, it shall file its testimony and exhibits supporting the proposed TED Project in sufficient detail to allow the IURC to make the findings set forth in Ind. Code § 8-1-39-12(d).
- 2) Within seven (7) days of filing its petition that includes a TED Project proposal with the IURC, the public utility shall apply to the Indiana Economic Development Corporation (“IEDC”) for approval to treat costs associated with the proposed TED Project as TDSIC costs. (See Ind. Code § 8-1-39-11(b).) The public utility’s application shall include a copy of the petition filed with the IURC and shall reference the IURC Cause Number assigned to that petition.
- 3) Within sixty (60) days, the Commission shall review the created subdocket concerning the proposed TED Project and approve the inclusion of the project if the Commission determines that inclusion of the project is consistent with the requirements of Ind. Code chapter 8-1-39. (See Ind. Code § 8-1-39-10(c).) If the Commission approves the inclusion of the proposal, the project officially becomes a TED Project. (See Ind. Code § 8-1-39-5.) This order approving the inclusion of the proposal is hereafter referred to as the “TED Project Order” and is separate from the final order in the proceeding. Upon issuance of the TED Project Order, the Commission shall send a copy of the Commission’s TED Project Order via electronic mail to the IEDC.
- 4) To assist the Commission in its review of the proposed TED Project in the statutorily mandated timeframes, any objections to the public utility’s TED Project proposal shall be filed in the TED Project subdocket proceeding within twenty (20) days of the filing of the public utility’s petition with the IURC. The public utility shall file any response to an objection within ten (10) days of the filing of an objection. Thereafter, or earlier if no objections are filed, the IURC will hold an evidentiary hearing and issue the TED Project Order.
- 5) Within fourteen (14) days of the Commission’s TED Project Order referenced above, the IEDC shall send a letter to the public utility concerning its application. The IEDC letter shall indicate whether the IEDC approves for purposes of serving economic development in Indiana the TED Project costs as shall be determined in the Commission’s Final Order in the proceeding. If the IEDC approves the TED Project costs and the public utility wishes to proceed with the TED Project, the public utility shall file a copy of the IEDC approval letter with the IURC in the TED Project subdocket.

APPENDIX B



VIA EMAIL

July 12, 2023

Chairman James F. Huston
Indiana Utility Regulatory Commission
101 W. Washington Street, Suite 1500 A
Indianapolis, IN 46204

Re: IURC Proposed General Administrative Order 2023-05

Chair Huston,

Please consider this letter the Indiana Economic Development Corporation's ("IEDC") acceptance of the Indiana Utility Regulatory Commission ("IURC") proposed General Administrative Order 2023-05 ("GAO"), including its Appendix A concerning the Procedures for Targeted Economic Development Project ("TED Project") Approval.

The IEDC has reviewed the proposed GAO and finds the TED Project procedures, including the petition approval schedule satisfactory. In the event the IURC elects to modify these procedures, the IEDC respectfully requests notice prior to adoption.

We look forward to the implementation of the TED Project procedures under the IURC's GAO for continued economic development in Indiana. If we can be of any further assistance or if you have any questions or concerns relating to this letter, please let us know.

Sincerely,

Matt Jaworowski
Manager, Interagency Affairs