

ORIGINAL

STATE OF INDIANA

Commissioner	Yes	No	Not Participating
Huston	√		
Freeman	√		
Krevda	√		
Ober	√		
Ziegner	√		

INDIANA UTILITY REGULATORY COMMISSION

VERIFIED JOINT PETITION OF DUKE ENERGY INDIANA, LLC,)
INDIANA GAS COMPANY D/B/A VECTREN ENERGY DELIVERY)
OF INDIANA, INC., INDIANA MICHIGAN POWER COMPANY,)
INDIANA NATURAL GAS CORPORATION, INDIANAPOLIS)
POWER & LIGHT COMPANY, MIDWEST NATURAL GAS)
CORPORATION, NORTHERN INDIANA PUBLIC SERVICE)
COMPANY, LLC, OHIO VALLEY GAS CORP. AND OHIO)
VALLEY GAS, INC., SOUTHERN INDIANA GAS & ELECTRIC)
COMPANY D/B/A VECTREN ENERGY DELIVERY OF INDIANA,)
INC., AND SYCAMORE GAS COMPANY FOR (1) AUTHORITY)
FOR ALL JOINT PETITIONERS TO DEFER AS A REGULATORY)
ASSET CERTAIN INCREMENTAL EXPENSE INCREASES AND)
REVENUE REDUCTIONS OF THE UTILITY ATTRIBUTABLE TO)
COVID-19; AND (2) THE ESTABLISHMENT OF SUBDOCKETS)
FOR EACH JOINT PETITIONER IN WHICH EACH JOINT)
PETITIONER MAY ADDRESS REPAYMENT PROGRAMS FOR)
PAST DUE CUSTOMER ACCOUNTS, APPROVAL OF NEW BAD)
DEBT TRACKERS, AND/OR DETAILS CONCERNING THE)
FUTURE RECOVERY OF THE COVID-19 REGULATORY ASSET)

CAUSE NO. 45377
(Consolidated under
Cause No. 45380)

PETITION OF INDIANA OFFICE OF UTILITY CONSUMER)
COUNSELOR FOR GENERIC INVESTIGATION INTO COVID-19)
IMPACTS TO BE CONDUCTED OVER TWO PHASES;)
EMERGENCY RELIEF PURSUANT TO IND. CODE § 8-1-2-113 TO)
RELIEVE INDIANA RATEPAYERS OF THE THREAT OF)
UTILITY SERVICE DISCONNECTION AND PAYMENT)
ARREARAGES DURING GLOBAL HEALTH AND ECONOMIC)
CRISIS)

CAUSE NO. 45380
APPROVED: AUG 25 2021

ORDER OF THE COMMISSION

Presiding Officers:
James F. Huston, Chair
Loraine L. Seyfried, Chief Administrative Law Judge

On May 27, 2020, the Indiana Utility Regulatory Commission (“Commission”) issued an Order under this consolidated Cause notifying all jurisdictional Indiana utilities of its decision to conduct a generic investigation to consider and address the impacts of the Coronavirus Disease of 2019 (“COVID-19”) and the Indiana Governor’s COVID-19 Executive Orders on the rates and provision of utility service by all jurisdictional Indiana utilities and on their ratepayers. Further, the Commission identified certain information that should be filed monthly by jurisdictional Indiana utilities intending to participate in this investigation.

On June 29, 2020, the Commission issued its Phase 1 and Interim Emergency Order temporarily amending jurisdictional Indiana utility practices by prohibiting utility service disconnections until August 14, 2020 and amending certain tariff rates and charges. Jurisdictional Indiana utilities were also authorized to use

regulatory accounting for COVID-19 related impacts directly associated with any prohibition on utility disconnections, collection of certain utility fees (i.e., late fees, convenience fees, deposits, and reconnection fees), and the use of expanded payment arrangements as well as COVID-19 related uncollectible and incremental bad debt expense. In addition, the Commission required the monthly reporting to include information related to utility payment arrangements with customers.

On August 12, 2020, the Commission issued its Second Interim Emergency Order extending until October 12, 2020 the temporary amendment of jurisdictional Indiana utility practices to offer extended payment arrangements of at least six months and exclude the collection of late fees, deposits, and disconnection/reconnection fees. The Commission also continued approval of the associated regulatory accounting treatment for such costs.

On July 7, 2021, the Commission issued a Docket Entry wherein the Presiding Officers noted the current state of the Public Health Emergency and requested the parties identify any remaining issues that needed to be addressed in Phase 2 of this proceeding.

On July 26, 2021, the Indiana Office of Utility Consumer Counselor (“OUCC”) filed a Notice, which did not identify any issues to be addressed in Phase 2 but requested the Commission encourage utilities to continue offering flexible customer payment arrangements and to continue certain streamlined reporting from the six largest Joint Utility Petitioners¹ and Indiana American Water Company, Inc. (“Indiana American”) through December 31, 2021. The OUCC noted that the Joint Utility Petitioners agreed with the streamlined reporting requirements and that Indiana American had indicated it may continue to provide the reporting voluntarily.

On that same day, Citizens Action Coalition (“CAC”) and Indiana Community Action Association (“INCAA”) joined in the OUCC’s Motion but requested the reporting be expanded to include additional information and that such reporting continue indefinitely. They also requested the Commission establish default, minimum payment arrangements for certain customers.

Pursuant to the Commission’s July 27, 2021 Docket Entry, the Joint Utility Petitioners, Indiana American, and Morgan County Rural Water Corporation filed responses to the July 26, 2021 filings of the OUCC, CAC, and INCAA. Morgan County Rural Water Corporation supported the OUCC’s Notice but opposed any continued monthly reporting for other jurisdictional utilities as lacking benefit and opposed the proposals of CAC and INCAA as burdensome and beyond the scope of this proceeding. Indiana American noted it had not identified a need for Phase 2 and that while it would continue to voluntarily provide information, establishment of mandatory reporting or minimum deferred payment arrangements had not been shown to be necessary. Finally, the Joint Utility Petitioners objected to the additional recommendations of the CAC and INCAA as unnecessary and imposing additional costs on customers without a demonstration of benefit. *See* Affidavit of Laura Rosenthal, noting required computer system modifications at significant incremental cost to provide additional information.

No party to this proceeding identified any further issues related to the impacts of COVID-19 or the Indiana Governor’s COVID-19 Executive Orders that require determination by the Commission in Phase 2 of this proceeding. The monthly reporting requirements established under this Cause by the Commission’s prior

¹ Duke Energy Indiana, LLC; Indiana Gas Company, Inc.; Indiana Michigan Power Company; AES Indiana f/k/a Indianapolis Power & Light Company; Northern Indiana Public Service Company, LLC; and Southern Indiana Gas & Electric Company.

Orders were imposed to better understand and timely monitor the impact that COVID-19 was having on jurisdictional Indiana utilities and their customers. *See* May 27, 2020 Order at p. 4. In addition, we have consistently encouraged Indiana utilities to enter into flexible payment arrangements with their customers and note that the monthly filings under this Cause demonstrate that utilities are continuing to do so. *See* May 27, 2020 Order at p. 3; June 29, 2020 Order at p. 5-6; August 12, 2020 Order at p. 4.

While we recognize the COVID-19 pandemic is not yet over, the uncertainty regarding the impact of the pandemic on utilities and customers at the onset has transitioned to become more reasonably known or foreseeable. This Commission investigation proceeding continues to make a similar transition. We find the agreement of the OUCC and the Joint Utility Petitioners concerning the continued reporting of certain, limited data through the end of the year to be a reasonable transition to concluding this investigation. We also acknowledge and accept Indiana American's offer to continue providing the information identified by the OUCC on a voluntary basis through the end of the year as we find such information is relevant and useful to the Commission. However, we decline to accept the recommendations of the CAC and INCAA to impose new, additional reporting requirements and default, minimum payment arrangements that contravene the current transition and may impose additional costs without a defined benefit. The Commission appreciates the effort by all parties in this proceeding to assist with addressing the pandemic's impacts and anticipate those efforts will continue until the pandemic is resolved. Therefore, given the parties' consensus concerning the lack of remaining issues to be determined in Phase 2, the lifting of COVID-19 restrictions, and general reopening of Indiana's economy, we find this investigation should be closed.²

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. The Joint Utility Petitioners, as agreed to with the OUCC, shall file under this Cause the information identified by the OUCC in its July 26, 2021 filing on a monthly basis beginning in August, 2021 and continuing through December, 2021.
2. This Commission Investigation is closed.
3. This Order shall be effective on and after the date of its approval.

HUSTON, FREEMAN, KREVDA, OBER, AND ZIEGNER CONCUR:

APPROVED: AUG 25 2021

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

_____ on behalf of
Dana Kosco
Secretary of the Commission

²Nothing in this Order is intended to prevent the Commission from reopening, or any party requesting that the Commission reopen, this proceeding should circumstances change.