

ORIGINAL

Commissioner	Yes	No	Not Participating
Swinger			√
Bain	√		
Deig	√		
Jerrells	√		
Ziegner		√	

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

**PETITION OF INDIANAPOLIS POWER & LIGHT)
COMPANY D/B/A AES INDIANA (“AES INDIANA”) FOR)
AUTHORITY TO INCREASE RATES AND CHARGES FOR)
ELECTRIC UTILITY SERVICE THROUGH A PHASE-IN)
RATE ADJUSTMENT; AND FOR APPROVAL OF RELATED)
RELIEF, INCLUDING (1) REVISED DEPRECIATION) CAUSE NO. 46258
RATES, INCLUDING COST OF REMOVAL LESS SALVAGE)
AND UPDATED DEPRECIATION EXPENSE; (2)) APPROVED: SEP 30 2026
ACCOUNTING RELIEF, INCLUDING DEFERRALS AND)
AMORTIZATIONS, (3) INCLUSION OF CAPITAL)
INVESTMENT, (4) RATE ADJUSTMENT MECHANISM)
PROPOSALS, INCLUDING A NEW PROPERTY TAX RIDER,)
AND (5) NEW SCHEDULES OF RATES, RULES AND)
REGULATIONS FOR SERVICE.)**

PREHEARING CONFERENCE ORDER OF THE COMMISSION

Presiding Officers:

Joby D. Jerrells, Commissioner

Kristin E. Kresge, Administrative Law Judge

On September 2, 2026, the Commission issued its Order on Reconsideration in this Cause (“September 2 Order”), which granted the Indiana Office of Utility Consumer Counselor’s (“OUCC”) Petition for Reconsideration and granted Citizens Action Coalition of Indiana, Inc.’s (“CAC”) Petition for Rehearing.

Pursuant to 170 IAC 1-1.1-15, a Prehearing Conference in this Cause was held in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana, at 2:30 p.m. on September 17, 2026. Proofs of publication of the notice of the Prehearing Conference have been incorporated into the record and placed in the official files of the Commission. Indianapolis Power & Light Company d/b/a AES Indiana (“AES Indiana” or “Petitioner”), the OUCC, CAC, Rolls-Royce Corporation, Kroger Co., Walmart Inc., City of Indianapolis, and the AES Indiana Industrial Group appeared and participated at the Prehearing Conference.

Prior to the Prehearing Conference, Petitioner, Rolls-Royce Corporation, Kroger Co., Walmart Inc., City of Indianapolis, and AES Indiana Industrial Group (jointly “Settling Parties”) agreed upon a proposed procedural schedule with the OUCC and CAC (jointly “Non-Settling Parties”). The agreement of the parties was read into the record.

Based upon the agreement of the parties¹, the Commission enters the following Findings and Order, which shall become a part of the record in this proceeding:

1. **Scope of the Evidence.** The evidence shall be limited to the Google Monrovia data center project and the Blackrock-backed consortium acquisition, and how each affect AES Indiana's revenues, investment needs, cost allocation, rates, and AES Indiana's overall business outlook, including finances, investment plans, business risks, and cost of equity.

2. **Settling Parties' Prefiling Date.** Settling Parties shall prefile with the Commission their prepared testimony and exhibits constituting their case-in-chief in accordance with the September 2 Order on or before October 23, 2026. Copies of the same shall be served upon all parties of the record.

3. **Non-Settling Parties' Prefiling Date.** Non-Settling Parties shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before January 12, 2027. Copies of the same shall be served upon all parties of record.

4. **Settling Parties' Rebuttal Prefiling Date.** Settling Parties shall prefile with the Commission their prepared rebuttal testimony on or before February 11, 2027. Copies of the same shall be served upon all parties of record.

5. **Witness Order.** Parties are directed to confer and collaborate to produce an intended witness order that includes estimated time needed for cross-examination of each witness. Petitioner shall file the witness order with the Commission at least 72 hours in advance of the hearing.

6. **Evidentiary Hearing on the Parties' Cases-In-Chief.** In the event this cause is not settled, this matter shall proceed to an evidentiary hearing to commence at 9:00 a.m. on March 11, 2027 in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. At such time, the cases-in-chief of the Settling Parties, and Non-Settling Parties shall be presented and their respective witnesses examined. Thereafter, the Settling Parties shall present their prefiled rebuttal evidence as well as any additional evidence rebutting evidenced adduced on cross-examination of the Non-Settling Parties' witnesses. If the parties reach settlement, the agreement and supporting testimony and exhibits shall be submitted to the Commission at least ten business days prior to the evidentiary hearing.

7. **Hearing Exhibits.** Paper copies of exhibits to be offered at the evidentiary hearing must be: (a) single-sided; and (b) fastened together with staples, binder clips, or other non-permanent bindings that have no more than three holes along the longest edge. Parties shall process exhibits that: (1) consist of excel spreadsheets, (2) are oversized, or (3) are voluminous in nature, through an optical character recognition program and offer the exhibits on a compact disc. Parties shall offer confidential exhibits on green paper in an envelope marked "confidential" or, if offered on a compact disc, the compact disc shall be labeled "confidential."

¹ The Commission notes that the agreed procedural schedule extends beyond the implementation of Phase 2.

8. **Sworn Testimony.** Any witness testimony to be offered into the record of this proceeding shall be made under oath or affirmation. In accordance with 170 IAC 1-1.1-18(i), if a party offers prefiled testimony of a witness into evidence at the evidentiary hearing, and the witness sponsoring the prefiled testimony is not required to, and does not, attend the evidentiary hearing, the prefiled testimony shall be accompanied by the witness' sworn affidavit or written verification at the time the evidence is offered into the record.

9. **Discovery.** Discovery is available to all parties and shall be conducted on an informal basis. Any response or objection to a discovery request shall be made within ten calendar days of the receipt of such request until January 12, 2027. Thereafter, any response or objection to a discovery request shall be made within five business days of the receipt of such request. Any discovery communication received after noon on a Friday or after 5:00 p.m. on any other business day shall be deemed to have been received the following business day. There will be blackout dates for discovery from November 25 through 29, 2026; December 23 through 27, 2026; and December 30, 2026, through January 3, 2027. Dates designated as "blackout dates" shall not be included in determining the number of days provided for responding to a discovery request. The last date on which a discovery response or objection will be due is two days prior to the first day of the evidentiary hearing. The parties may conduct discovery through electronic means. Subject to the protection of confidential information, all parties will be served with discovery requests and responses.

10. **Prefiling of Workpapers.** When a party profiles technical evidence with the Commission, the party shall also file a copy of the workpapers used to produce that evidence within two business days after prefiling of the technical evidence. Copies of the workpapers shall also be served on all other parties in this Cause. When submitting workpapers to the Commission, two copies of each document shall be filed with the Secretary of the Commission.

11. **Number of Copies/Corrections.** Filings with the Commission shall comply with General Administrative Order 2016-2. However, the parties need only mail or deliver one paper copy of any electronic filing that exceeds 30 pages within two business days of the filing. Any corrections to prefiled testimony shall be made in writing as soon as possible after discovery of the need to make such corrections.

12. **Objections to Prefiled Testimony and Exhibits.** Parties shall file and serve on all parties of record, any objections to the admissibility of prefiled testimony or exhibits as soon as an objection can be reasonably determined, but no less than five days prior to the date scheduled for commencement of the hearing at which the testimony or exhibit will be offered into the record.

13. **Intervenors.** Any party permitted to become an Intervenor in this Cause shall be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 IAC 1-1.1-11.

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

1. The determinations of the Prehearing Conference set forth in this Order are made a part of the record in this Cause and shall be binding on all present and future parties of record during the proceedings of this Cause.
2. This order shall be effective on and after the date of its approval.

BAIN, DEIG, AND JERRELLS CONCURRING; ZIEGNER DISSENTING AND SWINGER ABSENT:

APPROVED: SEP 30 2026

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

**Dana
Kosco**

Digitally signed by
Dana Kosco
Date: 2026.09.30
10:27:43 -04'00'

**Dana Kosco
Secretary of the Commission**