

ORIGINAL

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

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

**IN THE MATTER OF AN ORDER
APPROVING UTILITY ARTICLES
PURSUANT TO 170 IAC 1-6.**

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APPROVED: DEC 30 2024

The Indiana Administrative Code provides for Thirty-Day Administrative Filing Procedures and Guidelines pursuant to the authority of Ind. Code 8-1-1-3 and Ind. Code 8-1-2-42. The thirty-day filing process is available for certain routine and non-controversial requests to facilitate expedited consideration of these matters by the Commission. The rule sets forth the requirements for the thirty-day administrative filings.

The thirty-day filings received pursuant to 170 IAC 1-6 and ripe for Commission action are attached hereto and collectively referred to as the Utility Articles. There are no controversial filings in the Utility Articles approved today.

Pursuant to the rule, the Commission Technical Divisions have submitted their recommendations to the Commission. Therefore, the Commission finds that the requirements of 170 IAC 1-6 have been met and that the Utility Articles attached are hereby approved.

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

APPROVED: DEC 30 2024

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

**Dana Kosco
Secretary of the Commission**



MEMORANDUM

TO: Commission Chairman James F. Huston
Commissioners Bennett, Freeman, Veleta and Ziegner

FROM: Commission Technical Divisions

DATE: December 23, 2024

RE: 30-Day Utility Articles for Conference on *Monday, December 30, 2024 @ 1:00 p.m.*

The following thirty-day filings have been submitted to the Commission. Each item was reviewed by the appropriate Commission Technical Divisions and all regulations were met in accordance with 170 IAC 1-6 Thirty-Day Administrative Filing Procedures and Guidelines. Therefore, the following filings listed below and attached hereto are recommended to be considered by the Commission at the next conference:

Attachment Number	30-Day Filing No.	Name of Utility Company	Type of Request	Date Received
1	50790	Brightspeed of Indiana, LLC	Revisions to the Brightspeed of Indiana, LLC Access Service Tariff I.U.R.C. No. T-3, to revise language for Shared Use Facilities, which includes grandfathering DS3 Entrance Facilities.	11/4/2024
2	50791	Brightspeed of Southern Indiana, LLC	Revisions to the Brightspeed of Southern Indiana, LLC Access Service Tariff I.U.R.C. No. T-3, to add language for Shared Use Facilities, which includes grandfathering DS3 Entrance Facilities.	11/4/2024
3	50792	Brightspeed of Central Indiana, LLC	Revisions to the Brightspeed of Central Indiana, LLC Access Service Tariff I.U.R.C. No. T-2, to add language for Shared Use Facilities, which includes grandfathering DS3 Entrance Facilities.	11/4/2024
4	50802	Northern Indiana Public Service Co. - Electric	Proposal to revise Rider 579 – Interconnection Standards to modify Applications for Interconnection to include additional information that is needed to initiate the interconnection.	11/25/2024

Filing Party: Brightspeed of Indiana, LLC (“Brightspeed”)
30-Day Filing ID No.: 50790
Date Filed: November 4, 2024 (Effective Date = December 6)
Filed Pursuant To: Ind. Code §§ 8-1-2-88.6 & 8-1-32.5-11(c); 170 IAC 1-6; and IURC Cause Nos. 44004 & 45733.
Request: On November 4, 2024, Brightspeed of Indiana, LLC (“Brightspeed”) filed tariff sheets to make intrastate special access monthly rates, rather than switched access rates, always applicable for traffic carried on intrastate Shared Use* Special Access Facilities regardless of the type of traffic carried on an individual channel within those facilities. The tariffs apply to the following rate elements: Channel Termination, Channel Mileage (if applicable), and Multiplexer. Brightspeed also grandfathered certain DS-3 switched transport entrance facilities. Finally, Brightspeed’s tariff now explicitly precludes under all circumstances, the application of non-Special Access rates on Shared Use Special Access Facilities on a proportional basis – a/k/a “ratcheting”.

*New language in Sections 5.2.8 and 7.4.8 explains that “Shared Use occurs when Special Access Service and Switched Access Service are provided over the same Special Access facility through a common interface.”

Retail Customer Impact: N/A

Tariff Page(s) Affected: Brightspeed of Indiana, LLC: I.U.R.C. Tariff No. T-3: Section 5, Sheet 22; Section 6, Sheets 10.2 & 167; and Section 7, Sheets 86 & 87.

Staff Recommendations: Requirements in 170 IAC 1-6, Cause Nos. 44004 & 45733 were met. Pursuant to Ind. Code § 8-1-32.5-11(c), all communications service tariffs filed after June 30, 2021, become effective upon filing. However, on Sept. 14, 2022, in Cause No. 45733, the Commission authorized any local exchange carrier (LEC) that wishes to submit its intrastate access tariff before the desired effective date to do so, when accompanied by a cover letter “indicating the date upon which Respondent [the LEC] desires the intrastate access tariff to be filed ... for purposes of establishing the effective date pursuant to Ind. Code 8-1-32.5(c).” Furthermore, although the tariff is already in effect, the IURC is still required, under Ind. Code 8-1-2-88.6, to review intrastate access charges for reasonableness. Staff has performed such a review and believes the proposed changes are reasonable. **Accordingly, Staff recommends approval of 30-Day Filing # 50790.**

Filing Party: Brightspeed of Southern Indiana, LLC (“Brightspeed”)

30-Day Filing ID No.: 50791

Date Filed: November 4, 2024 (Effective Date = December 6)

Filed Pursuant To: Ind. Code §§ 8-1-2-88.6 & 8-1-32.5-11(c); 170 IAC 1-6; and IURC Cause Nos. 44004 & 45733.

Request: On November 4, 2024, Brightspeed of Southern Indiana, LLC (“Brightspeed”) filed tariff sheets to make intrastate special access monthly rates, rather than switched access rates, always applicable for traffic carried on intrastate Shared Use* Special Access Facilities, regardless of the type of traffic carried on an individual channel within those facilities. The tariffs apply to the following rate elements: Channel Termination, Channel Mileage (if applicable), and Multiplexer. Brightspeed also grandfathered the rates for certain DS-3 switched transport entrance facilities. Finally, Brightspeed’s tariff now explicitly precludes, under all circumstances, the application of non-Special Access rates on Shared Use Special Access Facilities on a proportional basis – a/k/a “ratcheting”.

*New language in Section 7.2.1(E) explains that “Shared Use occurs when Special Access Service and Switched Access Service are provided over the same Special Access facility through a common interface.”

Retail Customer Impact: N/A

Tariff Page(s) Affected: Brightspeed of Southern Indiana, LLC: I.U.R.C. Tariff No. T-3: Section 6, Sheets 6-1 & 6-2; and Section 7, Sheet 7-4.

Staff Recommendations: Requirements in 170 IAC 1-6, Cause Nos. 44004 & 45733 were met. Pursuant to Ind. Code § 8-1-32.5-11(c), all communications service tariffs filed after June 30, 2021, become effective upon filing. However, on Sept. 14, 2022, in Cause No. 45733, the Commission authorized any local exchange carrier (LEC) that wishes to submit its intrastate access tariff before the desired effective date to do so, when accompanied by a cover letter “indicating the date upon which Respondent [the LEC] desires the intrastate access tariff to be filed ... for purposes of establishing the effective date pursuant to Ind. Code 8-1-32.5(c).” Furthermore, although the tariff is already in effect, the IURC is still required, under Ind. Code 8-1-2-88.6, to review intrastate access charges for reasonableness. Staff has performed such a review and believes the proposed changes are reasonable. **Accordingly, Staff recommends approval of 30-Day Filing # 50791.**

Filing Party: Brightspeed of Central Indiana, LLC (“Brightspeed”)

30-Day Filing ID No.: 50792

Date Filed: November 4, 2024 (Effective Date = December 6)

Filed Pursuant To: Ind. Code §§ 8-1-2-88.6 & 8-1-32.5-11(c); 170 IAC 1-6; and IURC Cause Nos. 44004 & 45733.

Request: On November 4, 2024, Brightspeed of **Central** Indiana, LLC (“Brightspeed”) filed tariff sheets to make intrastate special access monthly rates, rather than switched access rates, always applicable for traffic carried on intrastate Shared Use* Special Access Facilities, regardless of the type of traffic carried on an individual channel within those facilities. The tariffs apply to the following rate elements: Channel Termination, Channel Mileage (if applicable), and Multiplexer. Brightspeed also grandfathered the rates for certain DS-3 switched transport entrance facilities. Finally, Brightspeed now explicitly precludes, under all circumstances, the application of non-Special Access rates on Shared Use Special Access Facilities on a proportional basis – a/k/a “ratcheting”.

*New language in Section 7.2.1(E) explains that “Shared Use occurs when Special Access Service and Switched Access Service are provided over the same Special Access facility through a common interface.”

Retail Customer Impact: N/A

Tariff Page(s) Affected: Brightspeed of Central Indiana, LLC: I.U.R.C. Tariff No. T-2 -- Section 6, Sheets 6-1 & 6-2; and Section 7, Sheet 7-4.

Staff Recommendations: Requirements in 170 IAC 1-6, Cause Nos. 44004 & 45733 were met. Pursuant to Ind. Code § 8-1-32.5-11(c), all communications service tariffs filed after June 30, 2021, become effective upon filing. However, on Sept. 14, 2022, in Cause No. 45733, the Commission authorized any local exchange carrier (LEC) that wishes to submit its intrastate access tariff before the desired effective date to do so, when accompanied by a cover letter “indicating the date upon which Respondent [the LEC] desires the intrastate access tariff to be filed ... for purposes of establishing the effective date pursuant to Ind. Code 8-1-32.5(c).” Furthermore, although the tariff is already in effect, the IURC is still required, under Ind. Code 8-1-2-88.6, to review intrastate access charges for reasonableness. Staff has performed such a review and believes the proposed changes are reasonable. **Accordingly, Staff recommends approval of 30-Day Filing # 50792.**

Submitted By: Jane Steinhauer
Director, Energy Division

Filing Party: Northern Indiana Public Service Co.

30-Day Filing ID No.: 50802

Date Filed: November 25, 2024

Filed Pursuant To: 170 IAC 1-6-1

Request: Proposed revision to Rider 579, Interconnection Standards. NIPSCO requests to amend the language on the Application For Interconnection so as to better solicit information from applicants the company needs to better process the application and initiate an interconnection.

Customer Impact: N/A

Tariff Pages Affected: Rider 579, Interconnection Standards, Original Sheet No. 161.1, Sheet No. 3 of 18; Original Sheet 161.1, Sheet No. 4 of 18; Original Sheet No. 162, Sheet No. 5 of 18; and Original Sheet No. 162.1, Sheet No. 6 of 18.

Staff Recommendations: Requirements met. Recommend Approval