

1 Indianapolis, Indiana  
2 August 18, 2009  
3 9:30 A.M. (EDT)  
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5 JUDGE STORMS: This is a  
6 Prehearing Conference and Preliminary Hearing  
7 before the Indiana Utility Regulatory  
8 Commission in a cause docketed before the  
9 Commission as Cause No. 43743 captioned as  
10 "Petition of Duke Energy Indiana, Incorporated  
11 for approval of authority for deferred  
12 accounting treatment for operating expenses  
13 associated with the restoration of extensive  
14 system damage resulting from the January 27,  
15 2009 ice storm."

16 Notice of the time and place of  
17 the hearing was given as provided by law by  
18 publication in Marion County in the  
19 Indianapolis Star and in Hendricks County in  
20 The Weekend Flyer and the Hendricks County  
21 Republican. Each of said newspapers is a  
22 newspaper of general circulation, printed and  
23 published in the English language in their  
24 respective counties, and said publications  
25 were made ten days prior to the date of the

1 Prehearing Conference and Preliminary Hearing.  
2 The proofs of publication of the notices have  
3 been received by the Commission and are now  
4 incorporated into the record of this cause by  
5 reference and placed in the official files of  
6 the Commission. Notice has also been given to  
7 the Office of Utility Consumer Counselor and  
8 other interested parties.

9 May we have appearances of  
10 counsel, please?

11 MS. PRICE: Thank you, Your Honor.  
12 On behalf of Duke Energy Indiana, Melanie D.  
13 Price, Plainfield, Indiana.

14 MR. REED: And appearing on behalf  
15 of the Public, Jeff Reed, Indiana Office of  
16 Utility Consumer Counselor.

17 JUDGE STORMS: Okay. Prior to  
18 going on the record, the parties had a  
19 discussion and have reached an agreement on a  
20 procedural schedule.

21 Ms. Price, can you read the  
22 parties' agreement into the record, please?

23 MS. PRICE: Yes, Your Honor.

24 On August 27, 2009, Duke Energy  
25 Indiana will file its testimony and exhibits

1           constituting its case-in-chief.

2                       On October 22, the OUCC and any  
3 intervenors will file their testimony and  
4 exhibits constituting their cases-in-chief.

5                       On November 5, Duke Energy Indiana  
6 will file rebuttal, if needed.

7                       As to the discovery, the parties  
8 have agreed that prior to the OUCC and any  
9 intervenors filing testimony will be ten  
10 calendar days for discovery.

11                      Once the OUCC files its testimony,  
12 it will be five business days, and once Duke  
13 Energy Indiana files its rebuttal, it will be  
14 five calendar days.

15                      JUDGE STORMS: Is that your  
16 understanding as well, Mr. Reed?

17                      MR. REED: Likewise, Your Honor,  
18 as has been our history in the past, discovery  
19 served after noon on Friday will be considered  
20 received the following Monday morning.

21                      We will -- the parties will  
22 provide all filings including discovery all  
23 electronically, Your Honor.

24                      JUDGE STORMS: Okay. The hearing  
25 date in this matter is scheduled, by agreement

1 of the parties, for November 12, 2009 at 1:30  
2 P.M. in Room 222.

3 Anything else? If there's nothing  
4 further, we're hereby continued to  
5 November 12, 2009 at 1:30 P.M. in Room 222.  
6 Thank you.

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20 (PREHEARING CONFERENCE ADJOURNED)

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23 (HEARING SET FOR NOVEMBER 12, 2009 AT

24 1:30 P.M. (EST) IN ROOM 222 OF THE

25 NATIONAL CITY CENTER, INDIANAPOLIS, INDIANA)