

June 8, 2023

Dr. Bradley Borum  
Indiana Utility Regulatory Commission  
101 West Washington Street, Suite 1500 East  
Indianapolis, Indiana 46204 -3419  
[bborum@urc.in.gov](mailto:bborum@urc.in.gov)

Re: Director's Draft Report on I&M's 2021 IRP

Dear Dr. Borum,

Among the enactment of Public Law 117-169 (the Inflation Reduction Act) on August 16, 2022; the settlement dated Feb. 2, 2023 of I&M's IRP approval proceeding in Michigan PSC Case No. U-21189; and the U.S. Environmental Protection Agency's May 23, 2023 publication of its Proposed Rule on New Source Performance Standards for Greenhouse Gas Emissions From New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units (88 Fed. Reg. 33,240), those all seem to comprise relevant and "substantial, unexpected changes" following I&M's submission of its 2021 IRP (as contemplated in 170 IAC 4-7-10(a)). Yet I&M has not offered to provide an IRP update under Section 4-7-10(a), nor has the IURC or its Staff requested (nor does the Director's Draft Report contemplate requesting) an IRP update under Section 4-7-10(b). Given that the filed 2021 IRP may be used as a basis for I&M's subsequent resource actions or regulatory filings, pursuant to I.C. § 8-1-8.5-5(b)(2)(B) and 170 IAC 4-7-2.5(b), we request that I&M be sure to update its IRP to reflect these significant changes and that the Final Report note the necessity of an update as well.

Also, page 23 of the Director's Draft Report does not address CAC et al.'s comments about I&M's unsupported renewable build limits in its modeling, or I&M's use of additional arbitrary renewable limits *after* its modeling produced an optimized portfolio, as summarized on pages 21 and 23 of the Director's Draft Report. We request that the Director address this issue in the Final Report.

Finally, the Director's Draft Report has a small typographical error on page 3: it says that the 2021 IRP was submitted on January 31, 2021; but actually, it was submitted January 31, 2022.

Respectfully submitted,

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