



INDIANA UTILITY REGULATORY COMMISSION  
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## MEMORANDUM

**TO:** Commission Chairman James F. Huston  
 Commissioners Freeman, Krevda, Ober, and Ziegner

**FROM:** Commission Technical Divisions

**DATE:** April 1, 2022

**RE:** 30-Day Utility Articles for Conference on *Wednesday April 6, 2022 @ 10:00 a.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                 | 50480             | CWA Authority, Inc                               | Updating the definitions in its Terms and Conditions for Sewer Service to clarify the characteristics that make a customer an Industrial customer as opposed to a Nonindustrial customer. | 2/2/2022      |
| 2                 | 50484             | Ellettsville Municipal Water Utility             | Approval to increase the wholesale cost tracking factor   | 2/15/2022     |
| 3                 | 50491             | Northern Indiana Public Service Co. - Electric   | Proposed revisions to update its energy and capacity rate schedule for purchases from cogeneration and small power production facilities  | 2/28/2022     |
| 4                 | 50492             | Southern Indiana Gas and Electric Co. - Electric | To approve proposed tariff sheet covering rates for purchase of energy and capacity   | 2/28/2022     |

| <b>Attachment Number</b> | <b>30-Day Filing No.</b> | <b>Name of Utility Company</b>                 | <b>Type of Request</b>   | <b>Date Received</b> |
|--------------------------|--------------------------|--|--|----------------------|
| 5                        | 50493                    | Indianapolis Power & Light Company             | Revision of Rate CGS - Cogeneration and Small Power Production 5th Revised No. 122   | 2/28/2022            |
| 6                        | 50495                    | Green Acres Subdivision Sewer System, Inc.     | To approve disconnection and reconnection fees to cover expenses of conducting collection efforts  | 3/3/2022             |
| 7                        | 50498                    | Northern Indiana Public Service Co. - Gas      | Revisions to the Index of Cities, Towns and Unincorporated Communities Furnished Gas Service of Northern Indiana Public Service Company LLC's ("NIPSCO") IURC Gas Service Tariff, Original Volume No. 8 ("Gas Tariff") to include the Town of Winfield | 3/7/2022             |
| 8                        | 50499                    | Northern Indiana Public Service Co. - Electric | Changes to Rider 883 – Adjustment of Charges for Demand Side Management Adjustment Mechanism (DSMA) allowing a Qualifying Customer to opt back in to participation in NIPSCO's Energy Efficiency Program at any time                                   | 3/7/2022             |

Submitted By: *E. Curtis Gassert*  
Director, Water/Wastewater Division

**Filing Party:** CWA Authority, Inc.  
**30-Day Filing ID No.:** 50480  
**Date Filed:** February 2, 2022  
**Filed Pursuant To:** 170 IAC 1-6  
**Request:** The utility is proposing changes to its definitions in its Terms and Conditions to clarify the characteristics that make a customer an Industrial customer as opposed to a Nonindustrial customer.  
**Customer Impact:** See below.

| <b>CWA Authority, Inc.</b>          | <b>Proposed Definition Change</b>  |
|-------------------------------------|--|
| Section 1.22 INDUSTRIAL CUSTOMER    | <p><i>From: Any Customer of the Utility, who discharges, causes or permits the discharge of non-Domestic Wastewater into the Sewage Disposal System, including industrial or commercial entities who find it necessary to discharge clear water consisting of Cooling Water and/or steam condensate.</i></p> <p><i>To: Any Customer of the Utility, who discharges, causes or permits the discharge of non-Domestic Wastewater into the Sewage Disposal System and/or is subject to a categorical pretreatment standard promulgated by the United States Environmental Protection Agency and required to obtain an industrial discharge permit. Customers primarily engaged in wholesale or retail trade, however, are not Industrial Customers, including without limitation: restaurants, retail stores, K through 12 schools, hotels and other businesses or service establishments engaged in providing merchandise for use and/or rendering services. The foregoing excepted Customers may only be considered Industrial Customers to the extent they are subject to the categorical pretreatment standard.</i></p> |
| Section 1.25 NONINDUSTRIAL CUSTOMER | <p><i>From: All Customers of-the Utility that discharge into the Sewage Disposal System sewage normally Discharged by a Residence.</i></p> <p><i>To: All Customers of the Utility that discharge into the Sewage Disposal System and are not Industrial or Self-Reporting Customers are considered Nonindustrial Customers.</i></p>  |

**Tariff Pages Affected:** Page 6 of Sewage Disposal Service Terms and Conditions

**Objection - Summary:** Arc Energy Objection filed 3/09/22

- Arc Energy alleges that CWA’s notice did not provide an accurate description of the filing, including how customers may be affected, and, therefore, CWA’s filing is in violation of the 30-day Filing Rule and is incomplete.
- Arc Energy alleges that the filing will have ‘a devastating financial impact on every “Customer of Citizens Energy Group.”

CWA Response filed 3/18/22

- Arc Energy is not a CWA customer; it is a consultant assisting some CWA customers in switching their service classification from Non-industrial to Industrial. Arc Energy’s financial interest as a consultant switching customers to an inappropriate rate does not give it an interest in this 30-day filing.
- Arc Energy had notice and an opportunity to object, so its claim of failure to comply with the notice provision has been resolved.
- Arc Energy makes no claim that the substance of the filing is a violation of applicable law, a prior commission order, or commission rule or that the substance of the filing is inaccurate, impermissible, or incomplete.
- CWA’s notice met all the requirements of 170 IAC 1-6-6.
- Contrary to Arc Energy’s unsupported claim that the filing will have “a devastating financial impact on every Customer of Citizens Energy Group,” the filing might impact only those CWA customers that Arc Energy has assisted in switching to the Industrial service classification over the last couple of years.

**General Counsel Analysis and Findings:**

Arc Energy Objection – alleging that CWA did not give proper notice under 170 IAC 1-6-6.

- Prior to Arc Energy’s alleged objection, the IURC General Counsel’s Office reviewed CWA’s filing for compliance with the notice requirements in 170 IAC 1-6-6, as it does with all 30-day filings, and found that CWA’s filing complied with those notice requirements. This finding was posted to the Commission’s publicly available filing system on February 9, 2022.
- Arc Energy makes a bald statement that CWA did not provide an accurate description of how the customers may be affected under 170 IAC 1-6-6(b)(1)(C). However, Arc Energy does not provide any statement or indication of what its objection actually is and/or how the description CWA did provide (which was already found to be in compliance with the notice requirements) is inaccurate or incomplete.
- Merely asserting that a notice is not accurate or incomplete, without a showing of an actual inaccuracy or how it may be incomplete, is not enough to make an objection compliant with the 30-day Filing Rule.
- Based on this analysis, it is the General Counsel’s opinion that Arc Energy’s objection is not compliant with the 30-day Filing Rule.

**Staff Recommendations:** Staff agrees with General Counsel’s analysis and findings that the Objections to the Filing are not compliant with Commission rules. Filing requirements have been met. Recommend approval.

*Submitted By: E. Curtis Gassert*  
*Director, Water/Wastewater Division*

**Filing Party:** Ellettsville Municipal Water  
**30-Day Filing ID No.:** 50484  
**Date Filed:** February 15, 2022  
**Filed Pursuant To:** 170 IAC 1-6  
**Request:** The utility proposes to increase its tap charges.  
**Customer Impact:** See Below.

| <b>Ellettsville Municipal Water</b>                 | <b><i>Current</i></b> | <b><i>Proposed</i></b> |
|---|-----------------------|------------------------|
| <i>Tap Charges</i>                                  |                       |                        |
| 5/8" x 3/4" meter tap                               | \$980.00              | \$1,510.00             |
| 5/8" x 3/4" meter tap, with bore                    |                       | \$1,960.00             |
| 5/8" x 3/4" meter tap, no excavation                | \$685.00              | \$1,180.00             |
| 5/8" x 3/4" meter tap, pre-installed                | \$895.00              | \$1,320.00             |
| 5/8" x 3/4" meter tap, pre-installed, no excavation | \$600.00              | \$990.00               |
| Road bore   | \$585.00              | \$0.00                 |

**Tariff Pages Affected:** Page 3  
**Staff Recommendations:** Requirements met. Staff Recommends approval.

Submitted By: Jane Steinhauer  
Director, Energy Division

**Filing Party:** Northern Indiana Public Service Co.  
**30-Day Filing ID No.:** 50491  
**Date Filed:** February 28, 2022  
**Filed Pursuant To:** 170 I.A.C. 4-4.1-10  
**Request:** New Rate Schedules for Cogeneration and Alternate Energy Production Facilities.  
**Customer Impact:** N/A

| <b>RIDER 878</b>  |                                    |                        |                               |
|---|------------------------------------|------------------------|-------------------------------|
| <b>Purchases from Cogeneration Facilities and Small Power Production Facilities</b> |                                    |                        |                               |
| <i>Measurement Method</i>   | <i>Time Period</i>                 | <i>Energy (\$/kWh)</i> | <i>Capacity (\$/kW/month)</i> |
| Time of Use<br>Meter  | <i>Summer Period (May – Sept.)</i> |                        |                               |
|   | On-Peak                            | \$0.04764              | \$5.74                        |
|   | Off-Peak                           | \$0.03410              | \$5.74                        |
|   | <i>Winter Period (Oct. – Apr.)</i> |                        |                               |
|   | On-Peak                            | \$0.05157              | \$5.74                        |
|   | Off-Peak                           | \$0.04305              | \$5.74                        |
| Standard Meter  | Summer Period                      | \$0.04123              | \$5.74                        |
|   | Winter Period                      | \$0.04676              | \$5.74                        |

**Tariff Pages Affected:** IURC Original Volume No. 14:  
Third Revised Sheet No. 149, and Third Revised Sheet No. 150.

**Staff Recommendations:** Requirements met. Recommend approval.

*Submitted By: Jane Steinhauer*  
*Director, Energy Division*

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**Filing Party:** Southern Indiana Gas and Electric Company - Electric  
**30-Day Filing ID No.:** 50492  
**Date Filed:** February 28, 2022  
**Filed Pursuant To:** 170 I.A.C. 4-4.1-10  
**Request:** New Rate Schedules for Cogeneration and Alternate Energy Production Facilities.  
**Customer Impact:** N/A

| <b>RATE CSP</b>                                |   |  |
|--|---|--|
| <b>Cogeneration and Small Power Production</b> |   |  |
| <i>Time Period</i>                             | <i>Energy Payment to a Qualifying Facility (\$/kWh)</i> | <i>Capacity Payment to a Qualifying Facility (\$/kW/per month)</i> |
| Annual On-Peak                                 | \$0.03990   | \$6.08   |
| Annual Off-Peak                                | \$0.02999   | \$6.08   |

**Tariff Page(s) Affected:** IURC No. E-13:  
Sheet No. 79, Eleventh Revised Page 2 of 4  
**Staff Recommendations:** Requirements met. Recommend approval.



Submitted By: Jane Steinhauer  
Director, Energy Division

**Filing Party:** AES Indiana  
**30-Day Filing ID No.** 50493  
**Date Filed:** February 28, 2022  
**Filed Pursuant To:** 170 I.A.C. 4-4.1-10  
**Request:** New Rate Schedules for Cogeneration and Alternate Energy Production Facilities.  
**Customer Impact:** N/A

| <b>RATE CGS</b>                                |                        |                               |
|--|------------------------|-------------------------------|
| <b>Cogeneration and Small Power Production</b> |                        |                               |
| <i>Time Period</i>                             | <i>Energy (\$/kWh)</i> | <i>Capacity (\$/kW/month)</i> |
| Peak Period                                    | \$3.02                 | \$5.83                        |
| Off Peak Period                                | \$2.77                 | \$5.83                        |

**Tariff Pages Affected:** IURC No. E-18:  
5th Revised No. 122  
**Staff Recommendations:** Requirements met. Recommend approval.

Submitted By: *E. Curtis Gassert*  
*Director, Water/Wastewater Division*

**Filing Party:** Green Acres Subdivision Sewer System, Inc.  
**30-Day Filing ID No.:** 50495  
**Date Filed:** March 3, 2022  
**Filed Pursuant To:** 170 IAC 1-6  
**Request:** The utility is proposing to add non-recurring charges.  
**Customer Impact:** See below.

| <b>Green Acres Subdivision Sewer System, Inc.</b> | <b>Current Charge</b> | <b>Proposed Charge</b> |
|---|-----------------------|------------------------|
| B. Reconnection Charge                            | None                  | \$6,150.00             |
| C. NSF Charge                                     | None                  | \$30.00                |

**Tariff Pages Affected:** Page 1 of 1

**Staff Recommendations:**

- B. Reconnection Charge: Requirements have not been met. Staff recommend denial for the following reasons:
  - a. The proposed reconnection charge does not align with similar, ordinary and customary charges for wastewater utilities and is likely punitive.
  - b. If the proposed disconnection/reconnection methodology is utilized in the same lateral more than once, the repeated use will cause a restriction in the lateral which will decrease capacity, may promote clogging and may ultimately result the need for the lateral to be replaced.
  - c. Alternative methods of disconnection/reconnection have previously been approved by the Commission with dramatically lower costs including installation of a shut-off valve and robotic insertion/removal of a plug.
- C. NSF Charge: Requirements met. Staff recommends approval.

*Submitted By: Jane Steinhauer*

*Director, Natural Gas Division*

**Filing Party:** Northern Indiana Public Service Company LLC (“NIPSCO”)  
**30-Day Filing ID No.:** 50498  
**Date Filed:** March 7, 2022  
**Filed Pursuant To:** 170 IAC 1-6-1

**Request:** NIPSCO requests to revise its Index of Cities, Towns and Unincorporated Communities Furnished Gas Service of its IURC Gas Service Tariff, Original Volume No. 8 (“Gas Tariff”) to include the Town of Winfield. Winfield did not incorporate until 1993 and does not have its own ZIP code, so it previously was not listed in the Gas Tariff as a community. The town has recently added its own inspection department and provides new addresses to NIPSCO using “Winfield” as the city/town for the address. The town had previously been added to NIPSCO’s IURC Electric Service Tariff, but the conforming change was not made to the Gas Tariff. Adding it to the list of communities served will allow NIPSCO to update its information systems and allow requests for new services to the town to be better tracked.

**Customer Impact:** No customer impact is expected.

**Tariff Pages Affected:** IURC Gas Service Tariff, Original Volume No. 8, First Revised Sheet No. 7, NIPSCO’s Index of Cities, Towns and Unincorporated Communities Furnished Gas Service.

**Staff Recommendations:** NIPSCO has met all requirements for its request. Staff recommends approval.

*Submitted By: Jane Steinhauer*

*Director, Natural Gas Division*

**Filing Party:** Northern Indiana Public Service Company LLC (“NIPSCO”)  
**30-Day Filing ID No.:** 50499  
**Date Filed:** March 7, 2022  
**Filed Pursuant To:** 170 IAC 1-6-1

**Request:** NIPSCO requests to revise its Rider 883 – Adjustment of Charges for Demand Side Management Adjustment Mechanism (DSMA) allowing a Qualifying Customer to participate in NIPSCO’s Energy Efficiency Program at any time (rather than the current deadline of May 15). NIPSCO also requests to remove some language on Sheet No. 193 that should have been removed from the definition of Single Site. NIPSCO has shared these changes with the NIPSCO Electric Energy Efficiency Oversight Board and it supports these revisions.

**Customer Impact:** No customer rate impact is expected.

**Tariff Pages Affected:** IURC Electric Service Tariff, Original Volume No. 14, First Revised Sheet Nos. 193 and 196, Rider 883 – Adjustment of Charges for Demand Side Management Adjust Mechanism (DSMA).

**Staff Recommendations:** NIPSCO has met all requirements for its request. Staff recommends approval.