

# “What Keeps Me Awake at Night” (Perspective on Important Regulatory Issues)

David Stippler, Indiana Utility Consumer Counselor

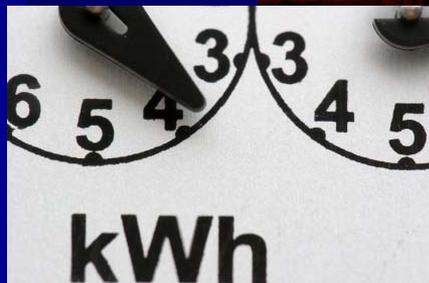
35<sup>th</sup> Annual National Conference

of

Regulatory Attorneys

Indianapolis, Indiana

May 23, 2012



1-888-441-2494

[www.IN.gov/OUCC](http://www.IN.gov/OUCC)

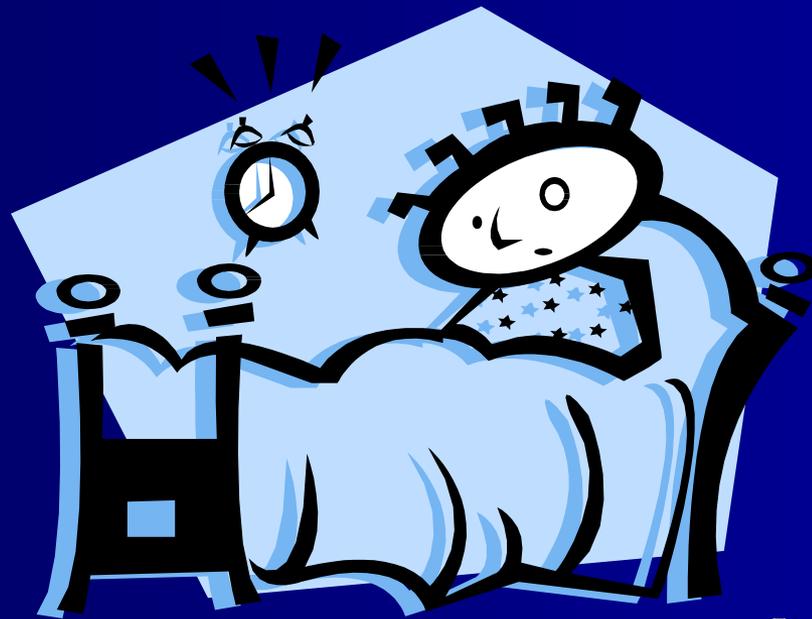


Indiana Office of  
**Utility Consumer Counselor**

[www.IN.gov/OUCC](http://www.IN.gov/OUCC)

# "What Keeps Me Awake at Night"

- ("... or Why I Make the Big Bucks!")



# Consumer Counselor Qualification/Powers and Duties

- IC 8-1-1.1-3 The UCC:
  - Serves at the will and pleasure of the Governor (4 year term)
  - Shall be a practicing attorney, and qualified by knowledge and experience to practice in regulatory proceedings
- IC 8-1-1.1-5.1
  - “(e) In all proceedings before the commission,...and in a court in which the consumer counselor shall appear, the consumer counselor shall have charge of the interests of the ratepayers and consumers of the utility...”



# OUCC Mission

- "To represent all Indiana Consumers to ensure quality, reliable utility services at the most reasonable prices possible through dedicated advocacy, consumer education and creative problem solving."
- Demonstrating value for all Indiana Ratepayers.



Indiana Office of  
**Utility Consumer Counselor**

[www.IN.gov/OUCC](http://www.IN.gov/OUCC)

# Overview

- Challenges Ahead
  - Growing Environmental Mandates
  - Compliance Costs and Consequences
  - CPCN Requests/Cost Estimates



# Growing Environmental Mandates

- Cross-State Air Pollution Rule (CSAPR)  
finalized July 6, 2011  
(currently under federal court stay)
- Mercury and Air Toxic Standards (MATS) Rule  
(finalized December 21, 2011)
- Proposed Cooling Water Intake Standards—Sec.316(b)  
of Clean Water Act (published April 20, 2011)
- Proposed Greenhouse Gas (GHG) New Source  
Performance Standards (published April, 2012)



# Compliance Costs and Consequences

- Recent estimates by the Indiana Energy Association (IEA) for Indiana's 5 largest IOUs to comply with mandates may exceed \$11.5B
- Indianapolis Power & Light (IPL)-plans to spend between \$500M-\$900M by 2016 to meet EPA mandates: utility credit downgrade
- Requirements to serve load reliably, yet meet environmental compliance timelines: a "Hobson's choice?"



# CPCN Requests-Cost Estimates

- The CPCN process itself in meeting environmental mandates or other needs of the business.
- A call for more discipline in project costs estimation.
- Recent statements from the IURC re: cost estimates to support granting a CPCN.
- Recent Indiana Legislative Pronouncements.



# Contact Information

David Stippler

Utility Consumer Counselor

[www.in.gov/oucc](http://www.in.gov/oucc)

Phone: 317.232.2494

Direct: 317.233.3232

Toll Free: 1.888.441.2494



Indiana Office of  
**Utility Consumer Counselor**  
[www.IN.gov/OUCC](http://www.IN.gov/OUCC)