



INDIANA UTILITY REGULATORY COMMISSION
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MEMORANDUM

TO: Commission Chair Carol A. Stephan
Commissioners Ziegner, Mays-Medley, Weber, and Huston

FROM: Commission Technical Divisions

DATE: June 26, 2015

RE: 30-Day Utility Articles for Conference on *TUESDAY, June 30, 2015, 2015 @ 2:00 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:

<u>Attachment Number</u>	<u>30-Day Filing No.</u>	<u>Name of Utility Company</u>	<u>Type of Request</u>	<u>Date Received</u>
1	3358	Tipton Municipal Electric Utility	3 rd Quarter Purchase Power Cost Tracker Factor	05/29/2015
2	3367	Communications Corporation of Indiana	Request for Emergency Approval of Rates	06/18/2015

Submitted By: *Bradley K. Borum*
Director, Electric Division



Filing Party: Tipton Municipal Electric Utility
30-Day Filing ID No.: 3358
Date Filed: May 29, 2015
Filed Pursuant To: Commission Order No. 36835-S3, dated December 13, 1989
Request: A revision to Power Cost Adjustment Tracking Factors to be applied in July, August, and September 2015.
Customer Impact: See below.

<i>Rate Schedule</i>	<i>Metric</i>	<i>Change</i>	<i>Resultant</i>
Rate A	\$/kWh	(0.000912)	0.036155
Rate B	\$/kWh	(0.000341)	0.038349
Rate C	\$/kWh	(0.000531)	0.039772
Rate D	\$/kWh	(0.002363)	0.032639

Tariff Page(s) Affected: Appendix A
Staff Recommendations: Requirements met. Recommend approval.

Submitted By: Pamela D. Taber *PDT*
Director, Communications Division

Filing Party: Communications Corporation of Indiana (CCI)
30-Day Filing ID No.: 3367
Date Filed: June 18, 2015; amended on June 22
Filed Pursuant To: IC 8-1-2-88.6; 170 IAC 1-6; IURC Cause No. 44004; and the FCC's *USF/ICC Transformation Order*.¹

Request: The purpose of the June 18 filing is "to establish a complete baseline intrastate access tariff." CCI requested an approval date of July 1, 2015. "The Company intends to concur in the John Staurulakis, Inc. (JSI) Interstate Access Tariff F.C.C. No. 1 with [intrastate] exceptions. Effective with the approval of the new Intrastate Access Tariff No. 6, the Company will no longer concur in the West Point Telephone Company's Intrastate Access Tariff No. 1"

On June 22, CCI amended its tariff filing to request "that the Commission, as allowed under Indiana Code 8-1-2-113, issue an emergency order to temporarily approve the CCI intrastate access tariff in less than 30 days, pending final approval by the Commission after at least 30 days have passed from the June 18 filing date."

CCI explained that it was not possible to meet the 30-day review requirement. JSI had to compile interstate rate information for several other companies, and information could not be obtained for CCI's Indiana filing prior to June 16, the date on which JSI filed its interstate tariff with the FCC.

Retail Customer Impact: N/A

Tariff Page(s) Affected: Tariff I.U.R.C. No. 6 – Original Page 1 through Original Page 3; Original Pages CS 1 through CS 36.

Staff Recommendations: Pursuant to FCC requirements, CCI's tariffed intrastate (IURC) terminating switched end office and reciprocal compensation rates must take effect the same day as their interstate (FCC) counterparts.² The JSI tariff is expected to become effective July 1.

Given the June 18 filing date, CCI's July 1 requested effective date creates a conflict with IC 8-1-2-42(a), which precludes approval of rates and charges for a public utility, without 30 days' prior notice, unless the Commission "approves an order prescribing a different time frame." The earliest approval date for this filing would be July 18, in the absence of such an order.

Continued . . .

¹ *Connect America Fund et al.*, WC Docket No. 10-90 et al., *Report and Order and Further Notice of Proposed Rulemaking* (FCC 11-161, rel. Nov. 18, 2011) [hereinafter *USF/ICC Transformation Order*].

² 47 CFR 51.909(e). *See, also, USF/ICC Transformation Order*, at para. 801 & Figure 9.

**Staff Recommendations
Continued:**

Under IC 8-1-2-113(a), if the Commission “judges” that an emergency exists, and that it is “necessary to prevent injury to the business or interests of ... any public utility” in the state, it may temporarily alter or amend (or, suspend, with the consent of the utility) any public utility’s rates.

Requirements in 170 IAC 1-6, IURC Cause No. 44004, and IC 8-1-2-113 were met. Staff recommends that the Commission do the following, pursuant to IC 8-1-2-113: (1) judge that an emergency exists; and (2) grant CCI’s request for emergency approval of the new intrastate access rates and charges for Communications Corporation of Indiana on a temporary basis. Staff will resubmit the June 18 filing for a final vote to occur on or after July 18, 2015.