

ORIGINAL

**GENERAL ADMINISTRATIVE ORDER
OF THE INDIANA UTILITY REGULATORY COMMISSION
2013-5**

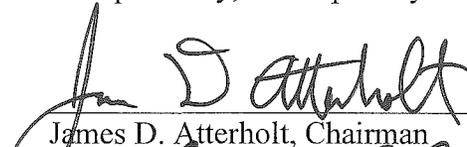
WHEREAS, on April 30, 2013, Senate Enrolled Act 560 was signed into law by Governor Mike Pence;

WHEREAS, Senate Enrolled Act 560 added Indiana Code §8-1-2-42.7, which provides for interim rates unless the Indiana Utility Regulatory Commission (“Commission” or “IURC”) issues an order setting rates within 300 days from the filing of a complete case in chief for a utility rate case;

WHEREAS, the Commission has determined that a standard procedural schedule will help assure that rate cases submitted under Indiana Code §8-1-2-42.7 will be completed within the 300 day timeframe;

WHEREAS, the Commission has further determined that recommending rate case best practices will reduce discovery issues and facilitate a more efficient and timely process for identifying the critical issues in rate cases submitted under Indiana Code §8-1-2-42.7.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Rate Case Standard Procedural Schedule and the Recommended Best Practices for Rate Cases Submitted under Ind. Code §8-1-2-42.7, which are attached to this General Administrative Order as Appendices A and B respectively, be adopted by this Commission.

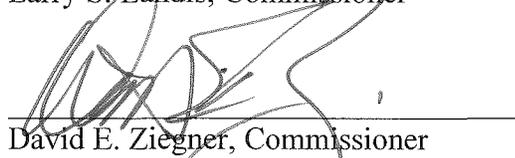

James D. Atterholt, Chairman

ABSENT

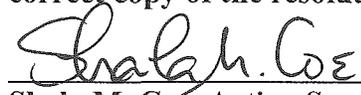
Kari A. E. Bennett, Commissioner


Larry S. Landis, Commissioner


Carolene R. Mays, Commissioner


David E. Ziegner, Commissioner

I hereby certify that the above is a true and correct copy of the resolution as approved.


Shala M. Coe, Acting Secretary to the Commission

JUL 03 2013
Date: _____

SB 560 Rate Case Standard Schedule (300 days total)

Day (Week)	Filing/Event	Comments
0	Petition/Case-in-Chief Proposed Schedule	SB 560 requires CIC to be filed with Petition. Presiding Officers will issue docket entry with schedule based on this standard schedule shortly after case assigned. If Petitioner wants to propose schedule different from this standard schedule, it should be filed <u>separately</u> with the initial case filing; IURC strongly encourages Petitioner to work with OUCC and Intervenor on agreed-to schedule prior to filing.
28 (Week 4)	Prehearing Conference	To be scheduled and noticed for all rate cases for the purpose of addressing scheduling, procedural, test year and other preliminary matters. Will result in a PHC order establishing schedule, discovery and other matters (supersedes initial docket entry).
49 (Week 7)	Technical Conference/s	To be scheduled if needed to allow IURC and parties to better understand key issues in Petitioner's CIC.
77 (Week 11)	Field Hearing	Required in cases where increase in revenues sought exceeds \$2,500,000; to be held in the largest municipality located within service area (IC 8-1-2-61(b)).
98 (Week 14)	OUCC and Intervenor's CIC	
126 (Week 18)	Petitioner rebuttal; OUCC and Intervenor's cross-answering testimony	Allows 3 weeks for IURC and parties to review materials and prepare for evidentiary hearing.
133 (Week 19)	Settlement Agreement	Last day to submit settlement agreement with supporting testimony and maintain overall schedule. If settlement covers less than all the parties, schedule may need to be modified to accommodate testimony objecting to settlement and contested settlement hearing. IURC supports settlements that are in the public interest regardless of submission date, and will strive for expeditious review.
147-161 (Weeks 21 & 22)	Evidentiary Hearing	Up to two weeks reserved for hearing.
182 (Week 26)	Petitioner proposed order/brief in support	If the official transcript is not complete by the filing deadline, Petitioner may update the proposed order with citations when the official transcript is complete.
203 (Week 29)	OUCC and Intervenor's proposed orders/ exceptions/briefs	
210 (Week 30)	Petitioner reply brief; OUCC and Intervenor's cross-answering replies	
	IURC reserves 90 days to draft order and hold executive session if necessary	Based on MFSR rule (170 IAC 1-5-2.1(e)(1)):approximately three (3) months should be allotted for the preparation and issuance of an order after the submission of any exceptions to a proposed order.
300 (Week 43)	Order issued	

Indiana Utility Regulatory Commission
Recommended Best Practices for Rate Cases Submitted under Ind. Code §8-1-2-42.7

I. Notice of Intent to File

- A. Notice of a utility's intent to file a rate case should be provided in a letter to the Secretary of the Indiana Utility Regulatory Commission ("Commission") at least 30 days prior to the expected date of filing, thereby helping to avoid ex parte issues regarding a pending proceeding (see 170 Indiana Administrative Code 1-1.5-2).
- B. The Commission also recommends that the utility provide notice to and meet with the Indiana Office of Utility Consumer Counselor ("OUCC") and other anticipated intervenors prior to the filing of the utility's rate case.

II. Case in Chief

- A. A utility petitioning for a change in its rates and charges bears the burden of proof and must submit sufficient evidence as part of its case in chief to satisfy its burden of proof. Although not evidence until offered and admitted into the record, working papers that include information relevant to the Commission and OUCC's review of the request will aid significantly in processing the petition expeditiously.

While the statute enumerates the required categories of a case in chief, the Commission recommends as a best practice that utilities use the Commission's Minimum Standard Filing Rule ("MSFR") (170 IAC 1-5) for more specific guidelines on what would constitute a complete case in chief. The following provides the relevant sections of the MSFR and additional recommended best practices for each of the statutory requirements:

- 1) Testimony, exhibits, and supporting working papers.
 - a. See MSFR Sections 6-16 (170 IAC 1-5-6 through 170 IAC 1-5-16).
 - b. Testimony should completely describe each request for relief, including the reason, basis (statutory or otherwise), and specific mechanism the utility proposes to implement the request.
- 2) Proposed test year and rate base cutoff dates.
 - a. See MSFR Section 5 (170 IAC 1-5-5).

- b. While recognizing the MSFR contemplates a historic test period, Indiana Code §8-1-2-42.7 allows a utility to file within 270 days of the close of the historic test period. If the utility proposes a forward-looking or hybrid test year as authorized by Ind. Code §8-1-2-42.7, the MSFR should still serve as guidance as to the categories of information that are appropriate for inclusion as working papers.
 - c. If the utility chooses a forward-looking test period, the utility should also provide supporting documentation, including any supporting calculations, for any changes between the historic base period¹ and the test period chosen. Each change to the historic base period should be reflected as an individual adjustment in the revenue requirements schedules and explained in testimony.
 - d. To the extent a forward-looking test year employs a model, that model must be completely transparent, the assumptions fully explicit, and the results fully replicable by any party and by Commission staff.
- 3) Proposed revenue requirements.

See MSFR Sections 7-12 (170 IAC 1-5-7 through 170 IAC 1-5-12).

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- 4) Jurisdictional operating revenues and expenses, including taxes and depreciation.

See MSFR Section 8 (170 IAC 1-5-8).

- 5) Balance sheet and income statements.

See MSFR Sections 6, 8-9 (170 IAC 1-5-6, 170 IAC 1-5-8 and 170 IAC 1-5-9).

- 6) Jurisdictional rate base.

a. See MSFR Sections 9-12 (170 IAC 1-5-9 through 170 IAC 1-5-12).

¹ Historic base period is the most recent twelve-month period of available data with an ending date that mirrors the utility's hybrid or future test year ending date. For example, if a utility files a petition on 1/1/2014, proposing a forward-looking test year with an ending date of 9/30/2015, the utility should provide twelve-months of available data through 9/30/2013. Available historic information by month up to the petition filing date should also be included.

- b. If the utility chooses a forward-looking test period, the rate base may be calculated as the average of the monthly rate base over the projected test period except for major projects anticipated to be placed into service during the forward-looking test period.² Similarly, the accumulated depreciation balances should match the rate base calculation— e.g., the average of the projected monthly balances adjusted if necessary to reflect major new projects' anticipated in-service dates. Finally, O&M projections should match the rate base calculation— e.g., O&M projections for major new projects should match the anticipated in-service dates of such projects.

7) Proposed cost of capital and capital structure.

- a. See MSFR Sections 12–13 (170 IAC 1-5-12 through 170 IAC 1-5-13).
- b. If the utility chooses a forward-looking test period, the capital structure utilized should match the rate base calculation — e.g., the average of the projected monthly capital structure balances, adjusted if necessary to reflect major new projects' anticipated in-service dates.

8) Jurisdictional class cost of service study.

See MSFR Section 15 (170 IAC 1-5-15).

9) Proposed rate design and pro forma tariff sheets.

See MSFR Section 16 (170 IAC 1-5-16).

- B. Any deviation from the statutory requirements or the best practices of the MSFR should be disclosed in accordance with Section I (Notice of Intent to File) above, and explained by the utility in its case in chief testimony. For example, if a utility proposes a rate increase that will apply uniformly to all customer classes and the class specific cost causation factors have not materially changed since the last rate case, the utility may propose to forgo conducting a new cost of service study. For another example, to the extent a specific provision of the MSFR is inapplicable to the relief requested by the utility, the utility should so state in its working papers.
- C. The case in chief should be well organized. The Commission recommends as a best practice that the working papers be organized according to the sections of the MSFR.

² The rate-making treatment for a major project completed in the forward test year will be addressed in the Order.

- D. If a utility chooses to use a forward-looking or hybrid test period:
- 1) The supporting documentation should include in executable electronic format any indices, indexing, trending analyses, budgeting, econometric modeling, and benchmarking used to derive any forward-looking proposed adjustments. All assumptions, data inputs, and supporting analysis should also be provided.
 - 2) The test year accounting data should be provided in the level of detail prescribed in the NARUC Uniform System of Accounts or the FERC Uniform System of Accounts, with the historic base period accounting data provided in the same level of detail.
 - 3) Detailed cost and billing determinants for the historic base period being used should be provided.