

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

Commissioner	Yes	No	Not Participating
Swinger	√		
Deig	√		
Veleta	√		
Zay	√		
Ziegner			√

IN THE MATTER OF THE INDIANA UTILITY)
REGULATORY COMMISSION'S INVESTIGATION) CAUSE NO. 46429
INTO COST RECOVERY MECHANISMS IN THE)
CONTEXT OF AN ELECTRICITY SUPPLIER'S) APPROVED: JUL 15 2026
MULTI-YEAR RATE PLAN)

ORDER OF THE COMMISSION

Presiding Officers:

Anthony F. Swinger, Chairman

Loraine L. Seyfried, Chief Administrative Law Judge

On February 26, 2026, Governor Braun signed House Enrolled Act 1002 ("HEA 1002") into law. Among other things, this bill requires Indiana's electricity suppliers to petition the Indiana Utility Regulatory Commission ("Commission") for approval of a multi-year rate plan ("MYRP"). Ind. Code § 8-1-46-20. In evaluating a MYRP, the Commission is required to consider the plan separately from all rate adjustment mechanisms and other authorized cost recovery mechanisms, unless otherwise incorporated into the plan. *See* Ind. Code § 8-1-46-21(c). Additionally, in an electricity supplier's first petition for a MYRP, the electricity supplier is required to "include a plan to incorporate planned capital expenditures, subject to preapproval by the [C]ommission, into the electricity supplier's subsequent multi-year rate plans" *Id.*

HEA 1002 sets forth a schedule for each of the five applicable electricity suppliers to submit their MYRPs over an approximate three-year period. We recognize that each MYRP filing may include electricity supplier-specific details on if, and how, the electricity supplier proposes to address rate adjustment mechanisms ("trackers") or how the electricity supplier may incorporate planned capital expenditures into its MYRP. However, the general regulatory framework of HEA 1002 will apply to each electricity supplier and exploring common guidelines for implementation should result in administrative efficiencies, particularly for the Commission and stakeholders.

Therefore, the Commission finds that, for purposes of promoting administrative efficiency, an investigation should be commenced to consider potential guidelines for including planned capital expenditures into MYRPs and the role, if any, capital cost recovery mechanisms ("capital trackers") should play in the MYRP structure contemplated by HEA 1002. In addition to capital trackers, the Commission finds that this investigation should also consider rate adjustment mechanisms ("expense trackers") that may be incorporated into a MYRP, including the establishment of reasonable and quantifiable criteria for their ongoing use.

1. Commission Jurisdiction and Notice. The Commission is authorized to review and approve MYRPs under Ind. Code ch. 8-1-46. The Commission also has authority to summarily initiate an investigation into all matters relating to any public utility pursuant to Ind. Code §§ 8-1-2-58 and -59. In addition to the foregoing statutory provisions, the Indiana Court of Appeals has specifically found that inherent in this grant of power is the implicit power and authority to "do that which is necessary to effectuate the regulatory scheme." *S. E. Ind. Nat. Gas v. Ingram*, 617 N.E.2d

943, 948 (Ind. Ct. App. 1993). Accordingly, the Commission has jurisdiction to conduct this investigation.

2. **Parties.** Based on the application of Ind. Code ch. 8-1-46, we find that all Indiana electricity suppliers, as defined in Ind. Code § 8-1-46-6, should be notified of this proceeding and made Respondents to this Cause. The Indiana Office of Utility Consumer Counselor should be included on the service list and participate in this proceeding pursuant to Ind. Code ch. 8-1-1.1. In addition, the Commission encourages those with a substantial interest in the subject matter of this investigation to seek intervention in accordance with 170 IAC 1-1.1-11.

3. **Scope of Investigation.** This investigation shall consider the development of guidelines for electricity suppliers and stakeholders to utilize in evaluating the role that trackers, both expense and capital, will play in the regulatory framework envisioned by HEA 1002, including the establishment of any reasonable or quantifiable criteria for use of those types of trackers.

In prior Commission investigations, technical conferences have provided an opportunity for the Commission to frame and clarify the issues on which the parties will be prefilming testimony and outline the Commission's expectations. Thus, we find that a technical conference should be scheduled, after which an issues list will be determined and a procedural schedule established in this Cause.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. An investigation is commenced to allow the Commission to consider the continued use of trackers by electricity suppliers in MYRPs.

2. Indiana electricity suppliers as defined in Ind. Code § 8-1-46-6 shall be notified of this proceeding and made Respondents to this Cause.

3. A Technical Conference for discussion of the issues to be addressed in this investigation is scheduled for August 7, 2026, at 1:00 p.m. in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana.

4. This Order shall be effective on and after the date of its approval.

SWINGER, DEIG, VELETA, AND ZAY CONCUR; ZIEGNER ABSENT:

APPROVED: JUL 15 2026

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

**Dana Kosco
Secretary of the Commission**