

**ORIGINAL**

STATE OF INDIANA

Commissioner	Yes	No	Not Participating
Huston	√		
Freeman	√		
Krevda	√		
Ober	√		
Ziegner	√		

**INDIANA UTILITY REGULATORY COMMISSION**

**IN THE MATTER OF AN ORDER )  
APPROVING UTILITY ARTICLES )  
PURSUANT TO 170 IAC 1-6. )**

**APPROVED: FEB 10 2021**

The Indiana Administrative Code provides for Thirty-Day Administrative Filing Procedures and Guidelines pursuant to the authority of Ind. Code 8-1-1-3 and Ind. Code 8-1-2-42. The thirty-day filing process is available for certain routine and non-controversial requests to facilitate expedited consideration of these matters by the Commission. The rule sets forth the requirements for the thirty-day administrative filings.

The thirty-day filings received pursuant to 170 IAC 1-6 and ripe for Commission action are attached hereto and collectively referred to as the Utility Articles. There are no controversial filings in the Utility Articles approved today.

Pursuant to the rule, the Commission Technical Divisions have submitted their recommendations to the Commission. Therefore, the Commission finds that the requirements of 170 IAC 1-6 have been met and that the Utility Articles attached are hereby approved.

**HUSTON, FREEMAN, KREVDA, OBER, AND ZIEGNER CONCUR:**

**APPROVED: FEB 10 2021**

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

\_\_\_\_\_  
**Dana Kosco**  
**Secretary of the Commission**



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## MEMORANDUM

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

FROM: Commission Technical Divisions

DATE: February 5, 2021

RE: 30-Day Utility Articles for Conference on *Wednesday February 10, 2021 @ 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	50390	Indiana Michigan Power Company	Requesting approval of revised options to purchase Renewable Energy Certificates (RECs) under the IM Green Rider.	12/16/2020

**Filing Party:** Indiana Michigan Power (I&M)

**30-Day Filing ID No.:** 50390

**Date Filed:** December 16, 2020

**Filed Pursuant To:** 170 I.A.C. 1-6

**Request:** Approval of revised options to purchase renewable energy certificates (RECs) under the IM Green Rider.

**Customer Impact:** The proposed new option (“National Program”) will provide customers with a lower cost option under the IM Green Rider and makes a distinction between RECs derived from I&M’s own renewable generation and those purchased on the open market. Interested customers can purchase RECs from either the Local or National Program or both. The Local Program REC price remains unchanged in this filing.

<b>IM Green Rider Options</b>	
<i>Program Option</i>	<i>Charge</i>
Local	\$0.0095 for each kWh consumed
National (new)	\$0.002 for each kwh consumed

**Tariff Page(s) Affected:** IURC No. 18: Second Revised Sheet Nos. 37 – 37.2

**OUCB Objection:** The OUCB filed an objection on January 15, 2021 in which it alleged I&M’s filing was prohibited under 170 IAC 1-6-4(1), (4), (7), (8), and (9) and listed 170 IAC 1-6-7(b)(2)(B) and (C) as the bases for its objections. Specifically, the OUCB stated the information in the filing is inaccurate pursuant to 170 IAC 1-6-7(b)(2)(B) and the filing is incomplete or prohibited under 170 IAC 1-6-4 pursuant to 170 IAC 1-6-7(b)(2)(C). The OUCB recommended I&M file a docketed proceeding explaining and vetting the open issues in this filing instead of seeking approval of its proposed program changes in this 30-day filing.

**General Counsel Findings and Analysis:** The OUCB made no allegation and provided no support indicating that I&M’s filing is inaccurate pursuant to 170 IAC 1-6-7(b)(2)(B). Therefore, that objection is not compliant with the 30-day Filing Rule.

While the OUCB asserted numerous concerns about which it would like additional information, it did not specifically assert that I&M’s filing is incomplete pursuant to 170 IAC 1-6-7(b)(2)(C)(i). Instead, it indicated certain information is “missing” or otherwise not provided, including explanations regarding cost recovery, non-separation of inventories, and future adjustments. However, I&M is not changing any cost recovery as part of this 30-day filing, separation of inventories does not appear to be a requirement, and future adjustments will be made in future filings. As a result, I&M’s filing does not appear to be incomplete, and the OUCB’s purported objection under 170 IAC 1-6-7(b)(2)(C)(i) is not compliant with the 30-day Filing Rule.

Finally, I&M’s filing is not a prohibited filing. It does not include an increase to any rates, class rate restructuring, or confidential information pursuant to 170 IAC 1-6-4(1), (4), or (8). Regarding 170 IAC 1-6-4(7), as noted by the OUCB and I&M, the Commission’s Final Order in Cause No. 44511 specifically provides for rate adjustments to I&M’s GPR tariff to be made through the 30-day filing process, which is exactly what I&M is doing in this filing. Under 170 IAC 1-6-4(9), it is the Commission that makes a determination that a filing should not be processed under the 30-day Filing Rule.

**Staff Recommendation:** Staff agrees with General Counsel’s analysis and finding that the OUCB’s objections to the filing are not compliant with Commission rules. Filing requirements have been met. Recommend approval.