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

ORIGINAL

**STATE OF INDIANA**

**INDIANA UTILITY REGULATORY COMMISSION**

| | | |
|---|---|---|
| **IN THE MATTER OF AN ORDER APPROVING UTILITY ARTICLES PURSUANT TO 170 IAC 1-6.** | ) ) ) | **APPROVED: OCT 20 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: OCT 20 2021**

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

Dana Kosco Digitally signed by Dana Kosco Date: 2021.10.20 10:14:49 -04'00'

**Dana Kosco**
**Secretary of the Commission**

STATE of INDIANA

INDIANA UTILITY REGULATORY COMMISSION
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INDIANAPOLIS, INDIANA 46204-3407

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# MEMORANDUM

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

FROM: Commission Technical Divisions

DATE: October 15, 2021

RE: 30-Day Utility Articles for Conference on *Wednesday October 20, 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 | 50455 | Northern Indiana Public Service Co.- Gas | Revision of Rates 128 and 138 of IURC Gas Service Tariffs, Original Volume No. 8 | 9/16/2021 |
| 2 | 50456 | Richmond Municipal Power & Light | Revision to Power Cost Adjustment Tracking Factors- 4th Quarter 2021 | 9/17/2021 |
| 3 | 50434 | Preferred Long Distance, Inc. | Intrastate Access | 6/25/2021 |

*Submitted By: Jane Steinhauer*
*Director, Energy Division*

| | |
|---|---|
| **Filing Party:** | **Northern Indiana Public Service Co. LLC ("NIPSCO")** |
| **30-Day Filing ID No.:** | 50455 |
| **Date Filed:** | September 16, 2021 |
| **Filed Pursuant To:** | 170 IAC 1-6-1 and the Final Order in Cause No. 43629 GCA 58 |
| **Request:** | NIPSCO is proposing to revise Rate 128 – Large Transportation and Balancing Service and Rate 138 – General Transportation and Balancing Service, of its IURC Gas Service Tariff, Original Volume No. 8. |

Under Rates 128 and 138, when a large customer's actual natural gas consumption is less than the allocated quantity of natural gas by less than 20%, the current tariff provides that NIPSCO purchase that natural gas at a below market rate equal to 70% of the applicable City-gate midpoint. When a customer's over-delivery exceeds 20%, NIPSCO must purchase the natural gas at 60% of the applicable City-gate price. Conversely, when a large customer's actual gas consumption is greater than the allocated quantity of natural gas at the City-gate price by less than 20%, NIPSCO is obligated to sell gas to that customer at an above-market rate equal to 130% of the applicable City-gate midpoint. This results in a higher premium being applied to under-deliveries exceeding 20%.

Typically, NIPSCO's obligation as a supplier of last resort to its large volume customers does not adversely impact Gas Cost Adjustment customers because NIPSCO is either (i) purchasing gas from large volume customers at a below-market rate or (ii) selling gas to large volume customers at an above-market rate; however, the cold weather event that occurred in February 2021 created an imbalance of less than 20%, equivalent to approximately 809,224 Dth for February 2021. In accordance with its tariff, NIPSCO was required to purchase the amount of gas not used at 70% of the applicable City-gate price which, due to the high price of gas at that time, cost approximately $29.38 million.

Based on this occurrence and in compliance with the Commission's directive in its May 26, 2021, Order in Cause No. 43629 GCA 58 ("GCA 58 Order"), NIPSCO engaged in a collaborative dialogue with its stakeholders to develop alternative provisions in Rates 128 and 138 relating to over- and under-deliveries. As such, the revisions sought in this filing are the result of that collaborative dialogue.[1]

**Customer Impact:** The revisions impact NIPSCO customers taking service under Rates 128 and 138 of its IURC Gas Service Tariff, Original Volume No. 8. The revisions are designed to further mitigate risk to NIPSCO and its customers of increased gas costs resulting from under-deliveries.

**Tariff Pages Affected:** Rate 128 – Original Sheet Nos. 52 through 60, Fifth Revised Sheet No. 61, and Original Sheet Nos. 62 through 63; and Rate 138 – Fifth Revised Sheet No. 79, Original Sheet No. 80, and Original Sheet No. 81.

**Staff Recommendations:** The proposed tariff language modifications are consistent with the GCA 58 Order directive to mitigate gas pricing risks for NIPSCO and its customers. Therefore, Staff recommends approval.

[1] The GCA 58 Order directed NIPSCO to develop and present changes as a part of its next rate case. However, NIPSCO is seeking approval of the revisions in this filing, with an effective date of November 1, 2021, so that the revisions are implemented for the 2021-2022 heating season.

*Submitted By: Jane Steinhauer*
*Director, Energy Division*

**Filing Party:** **Richmond Municipal Power & Light**

**30-Day Filing ID No.:** 50456

**Date Filed:** September 17, 2021

**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 October, November, and December 2021.

**Customer Impact:** See below.

| ***Rate Schedule*** | ***Metric*** | ***Change*** | ***Resultant*** |
|---|---|---|---|
| R | $/kWh | 0.008716 | 0.005250 |
| CL | $/kWh | 0.014330 | 0.005270 |
| EHS | $/kWh | 0.007932 | 0.004130 |
| GP and GEH | $/kW | 2.264352 | 1.155322 |
| | $/kWh | 0.000257 | 0.000489 |
| LPSS | $/KVA | 2.266754 | 1.393264 |
| | $/kWh | 0.000307 | 0.000550 |
| LPSS COIN | $/kW | 1.256918 | 1.921207 |
| | $/kWh | 0.000205 | 0.000448 |
| LPSP | $/KVA | 2.266754 | 1.393264 |
| | $/kWh | 0.000307 | 0.000550 |
| LPSP COIN | $/kW | 1.256918 | 1.921207 |
| | $/kWh | 0.000205 | 0.000448 |
| ISS | $/KVA | 2.266754 | 1.393264 |
| | $/kWh | 0.000307 | 0.000550 |
| ISS COIN | $/kW | 1.256918 | 1.921207 |
| | $/kWh | 0.000205 | 0.000448 |
| ISP | $/KVA | 2.266754 | 1.393264 |
| | $/kWh | 0.000307 | 0.000550 |
| ISP COIN | $/kW | 1.256918 | 1.921207 |
| | $/kWh | 0.000205 | 0.000448 |
| LS | $/kWh | 0.001032 | 0.002238 |
| TS | $/KVA | 2.266754 | 1.393264 |
| | $/kWh | 0.000307 | 0.000550 |
| TS COIN | $/kW | 1.256918 | 1.921207 |
| | $/kWh | 0.000205 | 0.000448 |

**Tariff Page(s) Affected:** Appendix A.

**Staff Recommendations:** Requirements met. Recommend Approval. Additionally, there was a technical issue with the review of the 2021 3rd Quarter Tracker. Staff has reviewed these rates and found no discrepancies; therefore, Staff recommends approval of these factors as well.

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

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|---|---|
| **Filing Party:** | **Preferred Long Distance, Inc.** |
| **30-Day Filing ID No.:** | 50434 |
| **Date Filed:** | June 25, 2021 |
| **Effective Date:** | July 1, 2021 |
| **Filed Pursuant to:** | IC §§ 8-1-2-88.6 & IC 8-1-32.5-11(c); 170 IAC 1-6; IURC Cause No. 44004; and the FCC's 8YY & USF/ICC Transformation Orders, and related rules.[1] |
| **Request:** | On June 25, 2021, Preferred Long Distance, Inc. ("Preferred") updated its intrastate rate structure to reflect new originating rate elements for toll-free ("8YY") calls and to bifurcate existing elements to accommodate both 8YY and non-8YY originating traffic. Preferred also revised some tandem switching & transport; End Office Access Service; and 8YY database query rates.[2] These changes became effective on July 1, consistent with FCC rules.[3] |
| **Retail Customer Impact:** | N/A |
| **Tariff Page(s) Affected:** | I.U.R.C. Tariff No. 2, Sheets 1 & 40. |
| **Staff Recommendations:** | Requirements in 170 IAC 1-6 and Cause No. 44004 were met. Staff believes applicable FCC requirements were met, as well. **Staff believes the proposed changes are reasonable[4] and recommends final approval.** |

[1] *In the Matter of 8YY Access Charge Reform*, WC Docket No. 18-156 (FCC 20-143, rel. Oct. 9, 2020). (*Hereinafter*, 8YY Order); *In the Matter of Connect America Fund, et al.*, WC Docket No. 10-90, et. al., *Report and Order and Further Notice of Proposed Rulemaking* [*Hereinafter*, USF/ICC Transformation order]; 47 CFR 51.911(e) & 47 CFR 61.26. *See, also*, 47 CFR 51.907(i) & 51.911(d).
[2] Effective July 1, the 8YY Order required *ILECs* to: (1) Reduce 8YY originating *intrastate* End Office Access Service rates to interstate levels; (2) Eliminate existing originating 8YY tandem switching and transport rates and replace them with a single new rate element (Joint Tandem Switched Transport Access Service), which is subject to a uniform nationwide rate cap of $0.001/minute on originating interstate *and intrastate* 8YY traffic; and (3) Begin a three-step transition toward an interim cap of $0.0002 per 8YY database query, with only one 8YY database query charge allowed per call, to be assessed solely by the originating carrier. *CLECs, such as Preferred*, were required to benchmark their 8YY originating End Office, 8YY tandem switching and transport, and 8YY database query rates to the corresponding rates and charges of the competing ILEC. *8YY Order*, at paras. 25 – 28, & 49; 72, 77, 78, 81, & 82; and 52 & 56. *See, also*, 47 CFR §§ 51.907(i), 51.911(c) – (e), and 61.26.
[3] *See* footnote 2, above. *See, also, In the Matter of July 1, 2021, Annual Access Charge Tariff Filings*, paras. 2, 3, & 5, WC Docket No. 21-148 (DA 21-433, rel. April 16, 2021).
[4] IC 8-1-2-88.6.