



Indiana Office of Utility Consumer Counselor

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## PUBLIC FIELD HEARING – BASIC FACTS

**An Indiana Utility Regulatory Commission (IURC) public field hearing is a formal, legal proceeding.**

- An Administrative Law Judge presides with at least one Commissioner present. A court reporter records testimony.

**The sole purpose of the field hearing is to accept sworn testimony from consumers under oath.**

- Commissioners are not allowed to answer questions, as they will weigh the evidence and render a decision.
- OUCC and IURC staff can answer procedural questions on an individual basis.

**Consumers may make sworn oral or written comments for the record.**

- Written and sworn oral comments receive equal consideration.

**No final decision will be made tonight.**

## IPL ENVIRONMENTAL COMPLIANCE CASE OVERVIEW

**Indianapolis Power & Light Co. (IPL)** is requesting approval of its Environmental Compliance Construction project, and authority to recover its costs through rates, in **Indiana Utility Regulatory Commission (IURC)** Cause No. 44242. IPL states the following in written testimony and exhibits it has filed with the IURC:

- IPL is seeking to build, install and operate new pollution control equipment at its “Big Five” generating units, including Units 1-4 at its Petersburg Generating Station and Unit 7 at its Harding Street station in Indianapolis.
- The 5 units comprise 82 percent of IPL’s coal-fired capacity and 65 percent of its total capacity.
- The project would reduce emissions of mercury, non-mercury metal hazardous air pollutants and acid gas hazardous air pollutants, and is necessary for the utility to comply with the U.S. Environmental Protection Agency’s Mercury and Air Toxics (MATS) rule.
- The project includes baghouse technology, activated carbon injection, sorbent injection, flue gas desulfurization system upgrades, and continuous emission monitoring equipment.
- Total construction costs are currently estimated at nearly \$511 million, not including demolition and financing costs (compared to the utility’s initial cost estimate of \$606 million).
- For a residential customer using 1,000 kWh per month, the proposal would add \$1.13 to the monthly electric bill in 2014. This monthly amount would rise to \$3.73 in 2015, \$7.47 in 2016, and \$8.92 in 2017.

While IPL’s current base rates were approved in 1995, its overall rates and charges have increased through the use of rate adjustment mechanisms, also referred to as “trackers.” IPL uses trackers to recover fuel, energy efficiency program, and environmental costs.

According to IURC data, the monthly bill for an IPL residential customer using 1,000 kWh per month rose from \$88.86 in 2011 to \$94.73 in 2012. The statewide average for investor owned utilities, during the same time period, rose from \$108.72 to \$109.99.

**The Indiana Office of Utility Consumer Counselor (OUCC)** is a separate state agency and is the statutory representative for the interests of all utility consumers (residential, commercial and industrial) in IURC cases. The OUCC is scheduled to file written testimony on January 28, 2013; testimony will be available at [www.in.gov/oucc/2732.htm](http://www.in.gov/oucc/2732.htm).

**Additional parties** that have intervened in this case as allowed by law are also scheduled to file testimony on January 28. These parties include the Sierra Club, the Citizens Action Coalition of Indiana (CAC), and the IPL Industrial Group (including Eli Lilly & Company, The Linde Group LLC, and Marathon Petroleum Company LP).

## FUTURE STEPS

IPL is scheduled to file rebuttal testimony on **February 25, 2013**.

An IURC technical evidentiary hearing is scheduled to start on **March 15, 2013** in Room 222 of the PNC Center (101 W. Washington St.) in Indianapolis. Evidentiary hearings are open to the public but participation is typically limited to attorney cross-examination and Commission questioning of technical witnesses who have filed written testimony.

The case's formal parties will file proposed orders, the equivalent of closing arguments, with the Commission on dates to be confirmed after the March hearing.

IURC final orders are issued at the Commission's weekly Conferences. Conferences are typically held on Wednesday afternoons, with agendas posted 48 hours in advance at: [www.in.gov/iurc/2428.htm](http://www.in.gov/iurc/2428.htm).

All hearing and filing dates are subject to change. A settlement agreement is possible in any legal proceeding.

## TO LEARN MORE

All publicly filed documents in this case are available on the IURC Website:

- Visit [www.in.gov/iurc](http://www.in.gov/iurc)
- Click the "Electronic Document System" link in the upper right portion of the page
- Click the "Search Cases" link near the upper left corner of the following page
- Enter docket number 44242 in the first field on the search page

Case updates are also available on the OUCC Website at [www.in.gov/oucc/2732.htm](http://www.in.gov/oucc/2732.htm).

## GENERAL AGENCY INFORMATION

### Indiana Office of Utility Consumer Counselor (OUCC)

- State agency
- Represents the interests of all Indiana utility consumers – including residential, commercial and industrial customer interests – in cases before the IURC and federal utility regulatory commissions
- Staff of attorneys, accountants, engineers, economists, consumer services and support personnel

### Indiana Utility Regulatory Commission (IURC)

- State agency
- Regulates many, but not all, Indiana utilities. Regulates utility rates, financing, service territory, quality, etc.
- Required by law to make decisions that balance the interests of utilities and consumers