

A Rate Case Timeline

Rate cases before the Indiana Utility Regulatory Commission (IURC) are like civil court cases. The IURC is required to balance utility & ratepayer interests while basing decisions on each case's specific evidence. The Indiana Office of Utility Consumer Counselor (OUCC) is a separate state agency representing consumer interests. A rate case often involves hundreds or even thousands of pages of materials that must be reviewed within a 10-month timeframe.



Day
1

Utility Case-In-Chief

The utility presents its case through written testimony from expert witnesses, often including detailed accounting & engineering exhibits. A utility's "petition" is a legal document formally initiating the case, & is typically filed at the same time as testimony & exhibits. When that happens, the IURC has 300 days to issue an order. Each case is given a 5-digit cause number so it can be identified & tracked.

Days
1 - 28

Schedule

The IURC sets a schedule of filing & hearing dates within a few weeks after the case starts. Schedules are usually negotiated by the utility, OUCC, & intervening parties. In some cases, a "pre-hearing conference" is held to discuss the case's schedule, but not its merits.

Days
1 - 91

Public Comments

The OUCC invites written consumer comments for the formal record in each case. In certain cases, the IURC conducts a public field hearing where consumers can speak on the record. Oral testimony at public field hearings carries the same weight as written consumer comments the OUCC files.

Day
98

OUCC Case-In-Chief

Once the OUCC has completed its review, its technical witnesses file testimony & exhibits. Under state law, the OUCC formally represents the interests of all ratepayers, including residential, commercial, & industrial consumers.

Days
98 - 125

Additional Filings

Additional parties intervene in some cases. When they do, they typically file testimony on the same date as the OUCC. A few days or weeks later, the utility may file rebuttal testimony.

Days
150 - 160

Evidentiary Hearing

Attorneys for the OUCC, utility, & intervenors may cross-examine each other's technical witnesses at this hearing. The IURC can also question witnesses. In a case involving a major utility, this hearing may last several days.

Days
180 - 210

Closing Arguments

After the hearing, the utility, OUCC, & intervenors may file written briefs & proposed orders.

Day
300

Order

The IURC issues a final order after considering all evidence. All orders are issued at the Commission's weekly meetings - referred to as "conferences" - usually on Wednesday mornings. Agendas are publicly posted 2 days in advance. In most rate cases, the IURC must issue its order within 300 days of the case's start. Commissioners may extend the deadline by 60 days if they find cause to do so.

Settlements & Appeals:

A settlement agreement is possible in any legal proceeding. The Commission may approve, deny, or modify any agreement filed before it. The OUCC & other parties to a settlement must file testimony showing it to be in the public interest. A formal party to a Commission case may appeal the order to the Indiana Court of Appeals within 30 days, if it believes there is a legal reason to do so.

Indiana Office Of Utility Consumer Counselor (OUCC)

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Our Mission: To represent all Indiana consumers to ensure quality, reliable utility services at the most reasonable prices possible through dedicated advocacy, consumer education, and creative problem solving.

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