

**INDIANA UTILITY REGULATORY COMMISSION (IURC)**

**Rule Development Workshop Agenda**  
**Integrated Resource Plan – Energy Efficiency Plan Rulemaking**  
**IURC RM #15-06**

Thursday, July 30, 2015 – 2:00-4:30 p.m.

Indiana Government Center South – Auditorium, 302 W. Washington St, Indianapolis, Indiana

- I. Welcome
- II. Overview of Rulemaking Process
- III. Senate Enrolled Act (SEA) 412 – overview
- IV. Energy Efficiency overview
- V. Integrated Resource Plan (IRP) Background
- VI. Review of Oct 2012 Draft Proposed IRP Rule
- VII. Open microphone for public comments
- VIII. Next steps

## RULEMAKING OVERVIEW



**Rule Development:** The rule development stage allows the Indiana Utility Regulatory Commission (IURC) and interested parties to discuss issues prior to commencing the formal rulemaking process.

**Notice of Intent and Fiscal Impact:** The Notice of Intent commences the formal rulemaking process, which must be completed within a year after the notice is published. If more time is necessary, the IURC may file for an extension. The notice is filed with the Legislative Services Agency (LSA) that the IURC intends to create a rule. Statements are filed with the Office of Management and Budget (OMB) regarding the fiscal impact the rule will have on regulated entities and state and local government.

**Proposed Rule:** After OMB approves the fiscal impact, the IURC adopts a Proposed Rule. If there are no comments provided during the comment period, this will become the Final Rule.

**Public Hearing and Public Comment:** The IURC will hold a public hearing, during which time anyone can provide oral comments on the rule. The IURC will also have a written comment period, with oral and written comments having equal weight. Due to the open process, a rule may undergo several rounds of changes.

**Final Rule:** The IURC considers the public comments and may make changes based on those comments to form the Final Rule. The IURC will then circulate the Final Rule through state government after making any proper changes based on the comments received.

**State Review:** The Office of the Attorney General and the Governor's Office will review and approve the rule. After that, it will be filed with LSA and becomes effective 30 days later, unless the rule specifies a different effective date.

**Effective Rule:** The rule has been approved by all state signatories and is now an enforceable administrative rule.

## **IURC Rule Development Process**

- Initial Workshop
- Submission of Comments – Oral and Written
- Strawman Draft
- Additional Comments – Written
- Additional Workshop(s)
- Draft Proposed Rule Finalized

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## SENATE ENROLLED ACT No. 412

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AN ACT to amend the Indiana Code concerning utilities.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 8-1-8.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The commission shall develop, publicize, and keep current an analysis of the long-range needs for expansion of facilities for the generation of electricity.

- (b) This analysis must include an estimate of:
- (1) the probable future growth of the use of electricity;
  - (2) the probable needed generating reserves;
  - (3) in the judgment of the commission, the optimal extent, size, mix, and general location of generating plants;
  - (4) in the judgment of the commission, the optimal arrangements for statewide or regional pooling of power and arrangements with other utilities and energy suppliers to achieve maximum efficiencies for the benefit of the people of Indiana; and
  - (5) the comparative costs of meeting future growth by other means of providing reliable, efficient, and economic electric service, including purchase of power, joint ownership of facilities, refurbishment of existing facilities, conservation (**including energy efficiency**), load management, **distributed generation**, and cogeneration.

- (c) The commission shall consider the analysis in acting upon any

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petition by any utility for construction.

(d) In developing the analysis, the commission:

(1) shall confer and consult with:

(A) the public utilities in Indiana;

(B) the utility commissions or comparable agencies of neighboring states;

(C) the Federal Energy Regulatory Commission; and

(D) other agencies having relevant information; and

(2) may participate as it considers useful in any joint boards investigating generating plant sites or the probable needs for future generating facilities.

(e) In addition to such reports as public utilities may be required by statute or rule of the commission to file with the commission, a utility:

**(1) may submit to the commission its a current or updated integrated resource plan as part of a utility specific proposals proposal as to the future needs for electricity to serve the people of the state or the area served by the utility; and**

**(2) shall submit to the commission an integrated resource plan that assesses a variety of demand side management and supply side resources to meet future customer electricity service needs in a cost effective and reliable manner.**

**The commission shall adopt rules under IC 4-22-2 concerning the submission of an integrated resource plan under subdivision (2).**

(f) Insofar as practicable, each utility, the utility consumer counselor, and any intervenor may attend or be represented at any formal conference conducted by the commission in developing a ~~plan~~ **an analysis** for the future requirements of electricity for Indiana or this region.

(g) In the course of making the analysis ~~and developing the plan~~ required by ~~this section~~ **subsection (a) and, if applicable, developing an analysis described in subsection (f)**, the commission shall conduct one (1) or more public hearings.

(h) Each year, the commission shall submit to the governor and to the appropriate committees of the general assembly a report of its analysis ~~and plan; the progress to date in carrying out such plan; and the program of the commission for the ensuing year in connection with such plan.~~ **regarding the future requirements of electricity for Indiana or this region.**

SECTION 2. IC 8-1-8.5-5, AS AMENDED BY P.L.210-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) As a condition for receiving the certificate required under section 2 of this chapter, the applicant shall

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file an estimate of construction, purchase, or lease costs in such detail as the commission may require.

(b) The commission shall hold a public hearing on each such application. The commission may consider all relevant information related to construction, purchase, or lease costs. A certificate shall be granted only if the commission has:

(1) made a finding as to the best estimate of construction, purchase, or lease costs based on the evidence of record;

(2) made a finding that either:

(A) the construction, purchase, or lease will be consistent with the commission's ~~plan~~ **analysis** (or such part of the ~~plan~~ **analysis** as may then be developed, if any) for expansion of electric generating capacity; or

(B) the construction, purchase, or lease is consistent with a utility specific proposal submitted under section ~~3(e)~~ **3(e)(1)** of this chapter and approved under subsection (d). However, if the commission has developed, in whole or in part, a ~~plan~~ **an analysis** for the expansion of electric generating capacity and the applicant has filed and the commission has approved under subsection (d) a utility specific proposal submitted under section ~~3(e)~~ **3(e)(1)** of this chapter, the commission shall make a finding under this clause that the construction, purchase, or lease is consistent with the commission's ~~plan~~ **analysis**, to the extent developed, and that the construction, purchase, or lease is consistent with the applicant's plan under section ~~3(e)~~ **3(e)(1)** of this chapter, to the extent the plan was approved by the commission;

(3) made a finding that the public convenience and necessity require or will require the construction, purchase, or lease of the facility;

(4) made a finding that the facility, if it is a coal-consuming facility, utilizes Indiana coal or is justified, because of economic considerations or governmental requirements, in using non-Indiana coal; and

(5) made the findings under subsection (e), if applicable.

(c) If:

(1) the commission grants a certificate under this chapter based upon a finding under subsection (b)(2) that the construction, purchase, or lease of a generating facility is consistent with the commission's ~~plan~~ **analysis** for the expansion of electric generating capacity; and

(2) a court finally determines that the commission ~~plan~~ **analysis**



is invalid;

the certificate shall remain in full force and effect if the certificate was also based upon a finding under subsection (b)(2) that the construction, purchase, or lease of the facility was consistent with a utility specific plan submitted under section ~~3(e)~~ **3(e)(1)** of this chapter and approved under subsection (d).

(d) The commission shall consider and approve, in whole or in part, or disapprove a utility specific proposal or an amendment thereto jointly with an application for a certificate under this chapter. However, such an approval or disapproval shall be solely for the purpose of acting upon the pending certificate for the construction, purchase, or lease of a facility for the generation of electricity.

(e) This subsection applies if an applicant proposes to construct a facility with a generating capacity of more than eighty (80) megawatts. Before granting a certificate to the applicant, the commission:

(1) must, in addition to the findings required under subsection (b), find that the estimated costs of the proposed facility are, to the extent commercially practicable, the result of competitively bid engineering, procurement, or construction contracts, as applicable; and

(2) shall also consider the following factors:

(A) Reliability.

(B) Solicitation by the applicant of competitive bids to obtain purchased power capacity and energy from alternative suppliers.

The applicant, including an affiliate of the applicant, may participate in competitive bidding described in this subsection.

SECTION 3. IC 8-1-8.5-9, AS ADDED BY P.L.223-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) For purposes of this section, "DSM order" refers to an order of the commission that establishes or approves:

(1) energy efficiency targets or goals for electricity suppliers; or

(2) an energy efficiency program sponsored by an electricity supplier.

The term includes the December 9, 2009, order of the commission concerning demand side management programs.

(b) For purposes of this section, "electricity supplier" has the meaning set forth in IC 8-1-2.3-2(b).

(c) For purposes of this section, "energy efficiency program" means a program that is:

(1) sponsored by an electricity supplier or a third party

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administrator; and

(2) designed to implement energy efficiency improvements (as defined in 170 IAC 4-8-1(j)) for customers.

The term does not include a program designed primarily to reduce demand.

(d) For purposes of this section, "energy efficiency program costs" include:

- (1) program costs;
- (2) lost revenues; and
- (3) incentives approved by the commission.

(e) For purposes of this section, "industrial customer" means a person that receives services at a single site constituting more than one (1) megawatt of electric capacity from an electricity supplier.

(f) An industrial customer may ~~before July 1, 2019,~~ opt out of participating in an energy efficiency program that is established by an electricity supplier ~~in response to a DSM order~~ by providing notice to the electricity supplier. ~~An industrial customer may not opt out of participating in an energy efficiency program after June 30, 2019.~~ Except as provided in subsection (g), an electricity supplier may not charge an industrial customer that opts out rates that include energy efficiency program costs that accrue or are incurred after the date on which the industrial customer opts out. However, an industrial customer remains liable for rates that include energy efficiency program costs that accrued or were incurred, or related to investments made, before the date on which the industrial customer opts out, regardless of the date on which the rates are actually assessed against the industrial customer.

(g) An industrial customer that opts out of participating in an energy efficiency program may subsequently opt to participate in the same or a different energy efficiency program. The industrial customer must participate in the subsequent energy efficiency program for at least three (3) years after the date on which the industrial customer opts in. If the industrial customer terminates participation in the subsequent energy efficiency program during the three (3) year period described in this subsection, the industrial customer shall continue paying energy efficiency program rates, including costs described in subsection (f), for the remainder of the three (3) year period.

(h) Energy efficiency targets or goals that are approved or mandated by the commission in a DSM order must be calculated to exclude all load from an industrial customer that opts out under subsection (f).

- (i) The commission may adopt:
- (1) rules under IC 4-22-2; or

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(2) guidelines;  
to assist electricity suppliers and industrial customers in complying with this section.

(j) Not later than August 15, 2014, the commission shall prepare a status report on all energy efficiency programs implemented under the DSM order issued by the commission on December 9, 2009. The commission shall provide the status report in an electronic format under IC 5-14-6 to the ~~regulatory flexibility~~ **interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4** and to the legislative council. The status report must consider the following:

- (1) The status and effectiveness of all energy efficiency programs, including whether efficiency gains attributable to a federal conservation program are being measured as part of an energy efficiency program implemented under the 2009 DSM order.
- (2) The degree to which energy efficiency program costs are shifted among customer classes.
- (3) Program costs to date.
- (4) Program costs projected to be incurred in complying with all DSM orders.
- (5) The actual impact of program costs on all customer rates and the projected impact of program costs on all customer rates upon full implementation of the 2009 DSM order.
- (6) Current and projected costs and benefits of current and anticipated energy efficiency programs, including costs and benefits associated with third party administrators and evaluation, measurement, and verification contractors.
- (7) The effectiveness of energy efficiency programs in reducing energy consumption and demand.
- (8) Methods by which the cost effectiveness and long term resource value of energy efficiency programs may be measured to assess the effect on rates and charges for all customers.
- (9) Methods by which the interests of customers and electricity suppliers may be better aligned.
- (10) Any additional information or recommendations the commission determines is necessary.

This subsection expires December 31, 2014.

- (k) The commission may not:
- (1) extend, renew, or require the establishment of an energy efficiency program under; or
  - (2) after December 31, 2014, require an electricity supplier to meet a goal or target established in;



the DSM order issued by the commission on December 9, 2009. An electricity supplier may not renew or extend an existing contract or enter into a new contract with a statewide third party administrator for an energy efficiency program established or approved by the DSM order issued by the commission on December 9, 2009.

(l) After December 31, 2014, an electricity supplier may continue to timely recover energy efficiency program costs that:

- (1) accrued or were incurred under or relate to an energy efficiency program implemented under the DSM order issued by the commission on December 9, 2009; and
- (2) are approved by the commission for recovery.

(m) After December 31, 2014, an electricity supplier may offer a cost effective portfolio of energy efficiency programs to customers. An electricity supplier may submit a proposed energy efficiency program to the commission for review. If an electricity supplier submits a proposed energy efficiency program for review and the commission determines that the portfolio included in the proposed energy efficiency program is reasonable and cost effective, the electricity supplier may recover energy efficiency program costs in the same manner as energy efficiency program costs were recoverable under the DSM order issued by the commission on December 9, 2009. The commission may not:

- (1) require an energy efficiency program to be implemented by a third party administrator; or
- (2) in making its determination, consider whether a third party administrator implements the energy efficiency program.

(n) This section does not affect:

- (1) an energy efficiency program offered by an energy utility (as defined in IC 8-1-2.5-2) that is not an electricity supplier; or
- (2) the manner in or means by which an energy utility described in subdivision (1) may recover costs associated with an energy efficiency program described in subdivision (1).

SECTION 4. IC 8-1-8.5-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 10. (a) For purposes of this section, "electricity supplier" means a public utility (as defined in IC 8-1-2-1) that furnishes retail electric service to customers in Indiana. The term does not include a utility that is:**

- (1) a municipally owned utility (as defined in IC 8-1-2-1(h));**
- (2) a corporation organized under IC 8-1-13;**
- (3) a corporation organized under IC 23-17 that is an electric cooperative and that has at least one (1) member that is a corporation organized under IC 8-1-13; or**

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(4) a joint agency created under IC 8-1-2.2-8.

(b) For purposes of this section, "energy efficiency" means a reduction in electricity use for a comparable level of electricity service.

(c) For purposes of this section, "energy efficiency goals" means all energy efficiency produced by cost effective plans that are:

- (1) reasonably achievable;
- (2) consistent with an electricity supplier's integrated resource plan; and
- (3) designed to achieve an optimal balance of energy resources in an electricity supplier's service territory.

(d) For purposes of this section, "energy efficiency program" or "program" means a program that is:

- (1) sponsored by an electricity supplier; and
- (2) designed to implement energy efficiency improvements.

The term does not include a program designed primarily to reduce demand for limited intervals of time, such as during peak electricity usage or emergency conditions.

(e) For purposes of this section, "lost revenues" means the difference, if any, between:

- (1) revenues lost; and
- (2) the variable operating and maintenance costs saved;

by an electricity supplier as a result of implementing energy efficiency programs.

(f) For purposes of this section, "plan" refers to the goals, programs, program budgets, program costs, and procedures submitted by an electricity supplier to the commission under subsection (h).

(g) For purposes of this section, "program costs" include the following:

- (1) Direct and indirect costs of energy efficiency programs.
- (2) Costs associated with the evaluation, measurement, and verification of program results.
- (3) Other recoveries or incentives approved by the commission, including lost revenues and financial incentives approved by the commission under subsection (o).

(h) Beginning not later than calendar year 2017, and not less than one (1) time every three (3) years, an electricity supplier shall petition the commission for approval of a plan that includes:

- (1) energy efficiency goals;
- (2) energy efficiency programs to achieve the energy efficiency goals;



- (3) program budgets and program costs; and**
- (4) evaluation, measurement, and verification procedures that must include independent evaluation, measurement, and verification.**

An electricity supplier may submit a plan required under this subsection to the commission for a determination of the overall reasonableness of the plan either as part of a general basic rate proceeding or as an independent proceeding. A petition submitted under this subsection may include a home energy efficiency assistance program for qualified customers of the electricity supplier whether or not the program is cost effective. The commission shall make the petition and its disclosable contents available through the commission's Internet web site.

**(i) At the same time an electricity supplier petitions the commission under subsection (h), the electricity supplier shall:**

- (1) provide a copy of the petition and plan to the office of utility consumer counselor; and**
- (2) post an electronic copy of the petition and plan on the electricity supplier's Internet web site. The electricity supplier may redact confidential or proprietary information.**

**(j) In making a determination of the overall reasonableness of a plan submitted under subsection (h), the commission shall consider the following:**

- (1) Projected changes in customer consumption of electricity resulting from the implementation of the plan.**
- (2) A cost and benefit analysis of the plan, including the likelihood of achieving the goals of the energy efficiency programs included in the plan.**
- (3) Whether the plan is consistent with the following:**
  - (A) The state energy analysis developed by the commission under section 3 of this chapter.**
  - (B) The electricity supplier's most recent long range integrated resource plan submitted to the commission.**
- (4) The inclusion and reasonableness of procedures to evaluate, measure, and verify the results of the energy efficiency programs included in the plan, including the alignment of the procedures with applicable environmental regulations, including federal regulations concerning credits for emission reductions.**
- (5) Any undue or unreasonable preference to any customer class resulting, or potentially resulting, from the implementation of an energy efficiency program or from the**



overall design of a plan.

(6) Comments provided by customers, customer representatives, the office of utility consumer counselor, and other stakeholders concerning the adequacy and reasonableness of the plan, including alternative or additional means to achieve energy efficiency in the electricity supplier's service territory.

(7) The effect, or potential effect, in both the long term and the short term, of the plan on the electric rates and bills of customers that participate in energy efficiency programs compared to the electric rates and bills of customers that do not participate in energy efficiency programs.

(8) The lost revenues and financial incentives associated with the plan and sought to be recovered or received by the electricity supplier.

(9) The electricity supplier's current integrated resource plan and the underlying resource assessment.

(10) Any other information the commission considers necessary.

(k) If, after notice and hearing, the commission determines that an electricity supplier's plan is reasonable in its entirety, the commission shall:

(1) approve the plan in its entirety;

(2) allow the electricity supplier to recover all associated program costs on a timely basis through a periodic rate adjustment mechanism; and

(3) allocate and assign costs associated with a program to the class or classes of customers that are eligible to participate in the program.

(l) If, after notice and hearing, the commission determines that an electricity supplier's plan is not reasonable because the costs associated with one (1) or more programs included in the plan exceed the projected benefits of the program or programs, the commission:

(1) may exclude the program or programs and approve the remainder of the plan; and

(2) shall allow the electricity supplier to recover only those program costs associated with the portion of the plan approved under subdivision (1) on a timely basis through a periodic rate adjustment mechanism.

(m) If, after notice and hearing, the commission determines that an electricity supplier's plan is not reasonable in its entirety, the



commission shall issue an order setting forth the reasons supporting its determination. The electricity supplier shall submit a modified plan within a reasonable time. After notice and hearing, the commission shall issue an order approving or denying the modified plan. If the commission approves the modified plan, the commission shall allow the electricity supplier to recover program costs associated with the modified plan on a timely basis through a periodic rate adjustment mechanism.

(n) The commission may not:

- (1) require an energy efficiency program to be implemented by a third party administrator; or
- (2) in making a determination of reasonableness under subsection (j), consider whether a third party administrator implements an energy efficiency program.

(o) If the commission finds a plan submitted by an electricity supplier under subsection (h) to be reasonable, the commission shall allow the electricity supplier to recover or receive the following:

- (1) Reasonable financial incentives that:
  - (A) encourage implementation of cost effective energy efficiency programs; or
  - (B) eliminate or offset regulatory or financial bias:
    - (i) against energy efficiency programs; or
    - (ii) in favor of supply side resources.
- (2) Reasonable lost revenues.

A retail rate adjustment mechanism proposed by an electricity supplier under this section to implement the timely recovery of program costs (including reasonable lost revenues) may be based on a reasonable forecast, with consideration given to the electricity supplier's historical lost revenue forecasting accuracy. If forecasted data is used, the retail rate adjustment mechanism must include a reconciliation mechanism to correct for any variance between the forecasted program costs (including reasonable lost revenues and financial incentives) and the actual program costs (including reasonable lost revenues and financial incentives based on the evaluation, measurement, and verification of the energy efficiency programs under the plan).

(p) An industrial customer (as defined in section 9(e) of this chapter) may opt out of an electricity supplier's plan under this section by following the procedure set forth in section 9(f) and 9(g) of this chapter. The opt out of an industrial customer who has previously complied with the procedure set forth in section 9(f) of



**this chapter constitutes an opt out of an electricity supplier's plan under this section. An industrial customer may follow the procedure set forth in section 9(g) of this chapter to opt back in.**

**(q) The commission shall adopt:**

**(1) rules under IC 4-22-2; or**

**(2) guidelines;**

**to assist electricity suppliers and industrial customers in complying with this section.**

**SECTION 5. An emergency is declared for this act.**



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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**TITLE 170 INDIANA UTILITY REGULATORY COMMISSION**

**Proposed Rule**  
LSA Document #12-xxx

**DIGEST**

Amends 170 IAC 4-7 to update the commission's rule requiring electric utilities to prepare and submit integrated resource plans. Effective 30 days after filing with the Publisher.

- 170 IAC 4-7-0.1**
- 170 IAC 4-7-1**
- 170 IAC 4-7-2**
- 170 IAC 4-7-2.1**
- 170 IAC 4-7-2.2**
- 170 IAC 4-7-3**
- 170 IAC 4-7-4**
- 170 IAC 4-7-5**
- 170 IAC 4-7-6**
- 170 IAC 4-7-7**
- 170 IAC 4-7-8**
- 170 IAC 4-7-9**
- 170 IAC 4-7-10**

**SECTION 1. 170 IAC 4-7-0.1 IS ADDED TO READ AS FOLLOWS**

**ARTICLE 4. ELECTRIC UTILITIES**

**Rule 7. Guidelines for Electric Utility Integrated Resource Plans**

**170 IAC 4-7-0.1 Applicability**

**Authority: IC 8-1-1-3**

**Affected: IC 8-1-2.2; IC 8-1-2.3-2; IC 8-1-2.4; IC 8-1-8.5; IC 8-1-8.8-10; IC 8-1.5**

**Sec. 0.1 (a) To assist the commission in its administration of the Utility Powerplant Construction Law, IC 8-1-8.5, this rule applies to the following electric utilities:**

- (1) Public investor owned.**
- (2) Municipally owned.**
- (3) Cooperatively owned.**
- (4) A joint agency created under IC 8-1-2.2. An individual member of a joint agency is not required to submit to the commission a separate IRP.**
- (b) This rule does not apply to a person who is exempt pursuant to IC 8-1-8.5-7.**
- (c) The following electric utilities are exempt from the public advisory process**

**requirement in section 2.1 of this rule:**

- (1) Municipally owned.**
- (2) Cooperatively owned.**
- (3) A joint agency created under IC 8-1-2.2.**

(Indiana Utility Regulatory Commission; 170 IAC 4-7-0.1)

**SECTION 2. 170 IAC 4-7-1 IS AMENDED TO READ AS FOLLOWS:**

**170 IAC 4-7-1 Definitions**

Authority: IC 8-1-1-3

Affected: IC 8-1-2.2; IC 8-1-2.3-2; IC 8-1-2.4; IC 8-1-8.5; IC 8-1-8.8-10; IC 8-1.5

Sec. 1. (a) **The definitions in this section apply throughout this rule.**

~~(a)~~ **(b) As used in this rule, "Allowance" or "emission allowance" means the authority to emit one (1) ton of sulfur dioxide (SO<sub>2</sub>), as defined under Section 7651 of the Clean Air Act Amendments of 1990, 42 U.S.C. 7401 to 7671q, effective November 15, 1990 unit of any air pollutant as specified by a federal or state emission allowance system.**

~~(b)~~ **(c) "Avoided cost" means the amount of fuel, operation, maintenance, purchased power, labor, capital, taxes, and other cost not incurred by a utility if an alternative supply or demand-side resource is included in the utility's integrated resource plan.**

~~(c)~~ **(e) As used in this rule, "Clean Air Act Amendments of 1990" or "CAAA" means Title IV, Acid Deposition Control, of the federal Clean Air Act Amendments of 1990, 42 U.S.C. 7401 to 42 U.S.C. 7671q, in effect November 15, 1990.**

**(d) "Candidate resource portfolio" means a long-term resource mix selected through the utility's portfolio screening process to be further analyzed as necessary to determine the preferred resource portfolio.**

~~(d)~~ **(e) "Cogeneration facility" means the following:**

(1) A facility that simultaneously generates electricity and useful thermal energy and meets the energy efficiency standards established for a cogeneration facility by the Federal Energy Regulatory Commission (FERC) under 16 U.S.C. 824a-3, in effect November 9, 1978.

(2) The land, system, building, or improvement that is located at the project site and is necessary or convenient to the construction, completion, or operation of the facility.

(3) The transmission or distribution facility necessary to conduct the energy produced by the facility to a user located at or near the project site.

~~(e)~~ **(f) "Commission" means the Indiana utility regulatory commission.**

~~(f)~~ **(g) "Conservation" means reducing the amount of energy consumed by a customer for a specific end-use. Conservation includes behavior changes such as thermostat setback. Conservation does not include changing the timing of energy use, switching to another fossil fuel source, or increasing off-peak usage.**

**(h) "Contemporary issues" means any topic that may affect the inputs, methods, or judgment factors in an IRP that is common to all Indiana jurisdictional utilities. Topics may include, but are not limited to, the following types of issues:**

**(1) Economic.**

**(2) Financial.**

**(3) Environmental.**

**(4) Energy.**

**(5) Demographic.**

**(6) Customer.**

(7) **Methodological.**

(8) **Regulatory.**

(9) **Technological.**

(i) **“Contemporary methods” means any methodological aspect involved with developing an IRP that represents the best practice of the electric industry to improve the quality of an IRP analysis.**

~~(g) As used in this rule,~~ (j) "Demand-side management" or "DSM" means the planning, implementation, and monitoring of a utility activity designed to influence customer use of electricity that produces a desired change in a utility's load-shape. DSM includes only an activity that involves deliberate intervention by a utility to alter load-shape.

~~(h) As used in this rule,~~ (k) "Demand-side measure" means a particular end-use device, technology, service, or rate design at a targeted customer's premises or a utility's energy delivery system for a specific DSM program.

~~(i) As used in this rule,~~ (l) "Demand-side program" means a utility program designed to implement a demand-side measure.

~~(j) As used in this rule,~~ (m) "Demand-side resource" means a resource that reduces the demand for electrical power or energy by applying a demand-side program to implement one (1) or more demand-side measures.

(n) **“Director” means the director of the electricity division of the commission.**

~~(k) As used in this rule,~~ (o) "Discount rate" means the interest rate used in determining the present value of future cash flows.

~~(l) As used in this rule,~~ ~~“dispersed”~~(p) **“Distributed generation” means electric generation technology that is relatively small in size, and its whose implementation favors installation near a load center or remote location on the subtransmission or distribution system. Distributed generation can include self-generation.**

~~(m) As used in this rule,~~ (q) "End-use" means the light, heat, cooling, refrigeration, motor drive, microwave energy, video or audio signal, computer processing, electrolytic process, or other useful work produced by equipment using electricity.

~~(n) As used in this rule,~~ (r) "Energy efficiency improvement" means reduced energy use for a comparable level of energy service.

~~(o) As used in this rule,~~ (s) "Energy service" means the light, heat, motor drive, and other service for which a customer purchases electricity from the utility.

~~(p) As used in this rule,~~ (t) **“Energy storage” means a:**

**(1) technology; or**

**(2) set of technologies;**

**Capable of storing previously generated electric energy and discharging that energy as electricity at a later time.**

(u) "Engineering estimate" means an estimate of energy (kWh) and demand (kW) impact resulting from a demand-side measure based on an engineering calculation procedure. An engineering estimate addresses change in energy use of a building or system resulting from installation of a DSM measure. If multiple DSM measures are installed, an engineering estimate accounts for the interactive effect between the DSM measures.

(v) **“FERC Form 715” means the annual transmission planning and evaluation report required by the Federal Energy Regulatory Commission (FERC), as adopted in 58 FR 52436, Oct. 8, 1993, and as amended by Order 643, 68 FR 52095, Sept. 2, 2003.**

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~~(q) As used in this rule,~~ (w) "Firm wholesale power sale" means a power sale intended to be available to the purchaser at all times, including under adverse conditions, during the period covered by the commitment.

~~(r) As used in this rule, "hourly system lambda" means the change in a utility's total cost associated with a marginal change in hourly load. The hourly system lambda is a short run measure that reflects the change in fuel cost and includes incremental (or decremental) operation and maintenance expenses.~~

~~(s) As used in this rule,~~ (x) "Integrated resource planning", "plan" or "IRP" means a utility's assessment of a variety of demand side and supply side resources to cost effectively meet customer electricity service needs. The IRP may also include, but is not limited to, the following:

(1) A public participation procedure.

(2) An analysis of the uncertainty and risk posed by different resources and external factors **document submitted in order to meet the requirements of this rule.**

~~(t) As used in this rule,~~ (y) "Load building" means a program intended to increase electricity consumption without regard to the timing of the increased usage.

~~(u) As used in this rule,~~ (z) "Load research" means the collection of electricity usage data through a metering device associated with an end-use, a circuit, or a building. The metered data is used to better understand the characteristics of electric loads, the timing of their use, and the amount of electricity consumed by users. The data may be collected over a variety of time intervals, usually sixty (60) minutes or less.

~~(v) As used in this rule,~~ (aa) "Load shape" means the time pattern of customer electricity use and the relationship of the level of energy use to a specific time during the day, month, and year.

~~(w) As used in this rule, "Lost opportunity" means a situation where a cost effective demand side measure could have been installed at a site during construction, renovation, or replacement of equipment, but was not, rendering a subsequent equal or more extensive modification to the site not cost effective.~~

~~(x) As used in this rule,~~ (bb) "Non-utility generator" or "NUG" means a facility for generating electricity that:

(1) is not exclusively owned by a public utility;

(2) operates connected to an electric utility system; and

(3) sells electricity to a utility for resale to retail customers.

~~(cc) "North American industrial classification system" or "NAICS" means a system developed by the United States Department of Commerce for use in the classification of establishments by type of activity in which engaged, for purposes of facilitating the collection, tabulation, presentation and analysis of data relating to establishments, and for promoting uniformity and comparability in the presentation of statistical data collected by various agencies of the United States Government, state agencies, trade associations, and private research organizations.~~

~~(y) As used in this rule,~~ (dd) "Participant" means a utility customer participating in a utility-sponsored DSM program.

~~(z) As used in this rule,~~ (ee) "Participant test" means a cost-effectiveness test that measures the difference between the cost incurred by a participant in a demand-side program and the value received by the participant. A participant's cost includes all costs borne by the

participant. A participant's value from a DSM program consists of only the direct economic benefit received by the participant.

~~(aa) As used in this rule, (ff) "Penetration" means the ratio of the number of a specific type of new units installed to the total number of new units installed during a given time.~~

**(gg) "Power transfer capability" means the amount of power that can be transferred from one point or part of the bulk electric system to another without exceeding any reliability criteria pertinent to the utility.**

**(hh) "Preferred resource portfolio" means the utility's selected long-term resource mix that safely and reliably meets electric system demand, taking cost, risk, and uncertainty into consideration.**

~~(bb) As used in this rule, (ii) "Present value" means today's value of a future payment, or stream of payments, discounted at some appropriate compound interest or discount rate.~~

~~(cc) As used in this rule, (jj) "Program cost" means all expenses incurred by a utility in a given year for operation of a DSM program whether the cost is capitalized or expensed. An expense includes, but is not limited to, the following:~~

- ~~(1) Administration.~~
- ~~(2) Equipment.~~
- ~~(3) Incentives paid to program participants.~~
- ~~(4) Marketing and advertising.~~
- ~~(5) Monitoring and evaluation.~~

~~(dd) As used in this rule, (kk) "Public participation advisory process" means a procedure provided in which customers and interested parties have the opportunity to receive information and provide input for the utility to consider in the development of the IRP and comment on a utility's integrated resource plan IRP prior to the submission of the IRP to the commission.~~

~~(ee) As used in this rule, (ll) "Ratepayer impact measure" or "RIM" test means a cost-effectiveness test which analyzes how a rate for electricity is altered by implementing a DSM program. This test measures the change in a revenue requirement expressed on a per unit of sale basis.~~

**(mm) "Regional transmission organization" or "RTO" means the regional transmission organization approved by the Federal Energy Regulatory Commission for the control area that includes the utility's assigned service area (as defined in IC 8-1-2.3-2).**

~~(ff) As used in this rule, (nn) "Renewable resource" means a generation facility or technology utilizing a fuel source such as, but not limited to, the following:~~

- ~~(1) Wind.~~
- ~~(2) Solar.~~
- ~~(3) Geothermal.~~
- ~~(4) Waste.~~
- ~~(5) Biomass.~~
- ~~(6) Small hydro.~~

**renewable energy resource as defined in IC 8-1-8.8-10.**

~~(gg) As used in this rule, (oo) "Resource" means a facility, project, contract, or other mechanism used by a utility to provide electric energy service to the customer.~~

**(pp) "Resource action" means a resource change or addition proposed by a utility in a formally docketed proceeding.**

**(qq) “Risk metric” means a measure used to gauge the risk associated with a resource portfolio. As applied to the cost of a resource portfolio, this includes measures of the variability of costs and the magnitude of outcomes.**

~~(hh) As used in this rule, (rr) "Saturation" means the ratio of the number of a specific type of similar appliance or equipment to the total number of customers in that class or the total number of similar appliances or equipment in use.~~

~~(ii) As used in this rule, (ss) "Screening" means an evaluation performed by a utility to determine whether a demand-side or supply-side resource option is eligible for potential inclusion in the utility's integrated resource plan~~**preferred resource portfolio.**

~~(jj) As used in this rule, (tt) "Self-generation" means an electric generation facility primarily for the customer's own use and not for the primary purpose of producing electricity, heat, or steam for sale to or for the public for compensation.~~

~~(kk) As used in this rule, (uu) "Short term action plan" means a schedule of activities and goals developed by a utility to begin efficient implementation of its integrated resource plan~~**preferred resource portfolio.**

**(vv) “Smart grid” means use of digital electronics or data, and the associated communications networks, to monitor and control any aspects of the electrical transmission and distribution system from generation to consumption.**

~~(ll) As used in this rule, "standard industrial classification" or "SIC" means a system developed by the United States Department of Commerce for use in the classification of establishments by type of activity in which engaged, for purposes of facilitating the collection, tabulation, presentation and analysis of data relating to establishments, and for promoting uniformity and comparability in the presentation of statistical data collected by various agencies of the United States Government, state agencies, trade associations, and private research organizations.~~

~~(mm) As used in this rule, (ww) "Supply-side resource" means a resource that provides a supply of electrical energy or capacity, or both, to a utility. A supply-side resource may include the following:~~

- (1) A utility-owned generation capacity addition.
- (2) A wholesale power purchase from another utility or non-utility generator.
- (3) A refurbishment or upgrading of an existing utility-owned generating facility.
- (4) A cogeneration facility.
- (5) A renewable resource technology.

**(6) Distributed generation.**

~~(nn) As used in this rule, (xx) "Targeted demand-side management" or "targeted DSM" means a demand-side program designed to defer or eliminate investment in a transmission or distribution facility.~~

~~(oo) As used in this rule, (yy) "Total resource cost test" means a cost-effectiveness test that eliminates the distinction between a participant and nonparticipant by analyzing whether a resource is cost-effective based on the total cost and benefit of the program, independent of the precise allocation to a shareholder, ratepayer, and participant.~~

~~(pp) As used in this rule, (zz) "Utility" means:~~

- (1) a public, municipally owned, or cooperatively owned utility; or
- (2) a joint agency created under IC 8-1-2.2.

~~(qq) As used in this rule,~~ **(aaa)** "Utility cost test" or "revenue requirements test" means a cost-effectiveness test designed to ~~minimize~~ **measure the ratio of the benefits (to the utility) to the costs incurred by the utility** (~~the net present value of a utility's revenue requirements~~). *(Indiana Utility Regulatory Commission; 170 IAC 4-7-1; filed Aug 31, 1995, 9:00 a.m.: 19 IR 16; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)*

**SECTION 3. 170 IAC 4-7-2 IS AMENDED TO READ AS FOLLOWS:**

**170 IAC 4-7-2 Procedures and effects of filing integrated resource plans**

Authority: IC 8-1-1-3

Affected: IC 5-14-3; IC 8-1-1-8; IC 8-1-8.5; IC 8-1.5

Sec. 2. **(a) The following utilities, or their successors in interest, must submit to the commission an IRP that covers at least a 20 year planning horizon consistent with this rule according to the following schedule:**

**(1) Duke Energy Indiana, Indiana Michigan Power Company, Indiana Municipal Power Agency, and Wabash Valley Power Association on November 1, 2013, and biennially thereafter.**

**(2) Hoosier Energy Rural Electric Cooperative, Indianapolis Power and Light Company, Northern Indiana Public Service Company, and Southern Indiana Gas and Electric Company on November 1, 2014, and biennially thereafter.**

Upon request of a utility, the director may grant an extension of any such submission dates, for good cause shown.

**(b) Prior to constructing, purchasing, or leasing a generating facility to provide electric service within the state of Indiana, a utility not listed in subsection (a) must submit to the commission an IRP consistent with this rule. If the generating facility, after appropriate commission review, is constructed, purchased, or leased, the utility shall submit to the commission on a biennial basis, an IRP consistent with this rule.**

**(c) A utility subject to section 0.1 must submit to the commission, on or before the applicable date as specified in subsection (a), the following documents:**

**(1) The integrated resource plan.**

**(2) A technical appendix containing supporting documentation.**

**(3) An IRP summary document as described in section 4(a) of this rule.**

**(d) The documents listed in subsection (c) shall be submitted electronically to the director.**

~~The commission may use an IRP or written comments, or both, submitted pursuant to this rule, to assist in the preparation of an analysis of the long range needs for expansion of facilities for the generation of electricity and plan for meeting the future requirements of electricity as required by IC 8-1-8.5. The commission may also use the IRP or written comments, or both, submitted pursuant to this rule in the preparation of a staff report in other formally docketed proceedings.~~

~~(1) An IRP or written comments submitted to the commission pursuant to this rule may be admitted as evidence in a formally docketed proceeding before the commission under the Indiana Rules of Evidence:~~

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~~(2) The commission shall give such weight as it determines appropriate to any IRP, or written comments submitted to the commission thereon, admitted as evidence in a formally docketed proceeding as provided in subsection 2(a)(1) [subdivision (1)] above.~~

~~(3) An IRP or comments submitted pursuant to this rule may not be admitted as evidence in a formally docketed proceeding before the commission through use of 170 IAC 1-1-18(f).~~

~~(b) Notice of the submission of an IRP to the commission shall be provided pursuant to the publication requirements of IC 8-1-1-8.~~

~~(e)~~(e) Contemporaneously with the submission of an IRP to the commission, a utility must include the following information:

(1) The name and address, if known, of each individual or entity considered by the utility to be an interested party.

(2) A statement that the utility has sent each interested party, **electronically or** by deposit in the United States mail, First Class postage prepaid, a notice of the utility's submission of an IRP to the commission. The notice must contain, at a minimum, the following information:

(A) A general description of the subject matter of the submitted IRP.

(B) A statement that the commission invites an interested party to submit written comment on the utility's submitted IRP.

~~(C) A statement that the commission will provide notice of the IRP and the due date for the submission of written comments pursuant to the publication requirements of IC 8-1-1-8. The statement must also include that subsection (e) (g) below provides for a ninety(90) day time period, or longer as determined by the commission, to submit written comments.~~

A utility is not required to separately notice, as provided in this subsection, each of its customers. A utility may, however, individually notify a business, organization, or a particular customer having a substantial interest in the IRP.

(3) A statement that the utility has served a copy of the IRP on the office of the consumer counselor.

~~(d) An IRP submitted to~~ (f) **The commission shall make a submitted IRP available: (1) on its website; and**

**(2) may to be viewed, inspected, or copied, in accordance with IC 5-14-3, at the office of the commission at 101 West Washington Street, Suite 1500 E, Indianapolis, Indiana 46204;**

**in accordance with IC 5-14-3 and any determination by the commission regarding confidentiality under 170 IAC 1-1.1-4.**

~~(e)~~(g) A customer or interested party may comment on an IRP submitted to the commission. The comments must:

(1) be in writing;

~~(2) and received by the commission within ninety (90) days from the date a utility submits an IRP to the commission. A customer or interested party must;~~

~~(1) submit~~ **(3) be submitted** to the commission:

**(A) as a paper original** at the address provided in subsection ~~(d)~~(f); or

**(B) an original and eight (8) copies of the written comments electronically to the director;**

~~(2)~~ **(4) clearly identify the utility upon which written comments are submitted; and**

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~~(3)~~ when submitting written comments on an IRP, serve a copy of the comments ~~(4)~~ be served upon the utility.

The ~~commission~~ **director** may extend the filing deadline for submitting written comments.

~~(f)~~**(h) The director shall issue a draft report on the IRP no later than 120 days from the date a utility submits an IRP to the commission.**

~~(i) Upon the receipt of written comments of a customer or interested party, a utility may submit to the commission supplemental or response comments. Supplemental or response comments may be submitted by:~~

~~(1) the utility; or~~

~~(2) any customer or interested party that submitted written comments.~~

~~(j) Supplemental or response comments must be:~~

~~(1) in writing; and~~

~~(2) received by the commission within thirty (30) days from the date a customer or interested party submits comments to the commission. A utility must;~~

~~(1) submit the director issues the draft report;~~

~~(3) submitted to the commission, at the address provided in subsection (d) an original and eight (8) copies of the written comments electronically to the director an original and eight (8) copies of the supplemental or response comments; and;~~

~~(2) serve a copy of the supplemental or response comments (4) served upon:~~

~~(A) the utility;~~

~~(B) the any customer or interested party who submitted written comments; and~~

~~(B) the office of the utility consumer counselor.~~

The ~~commission~~ **director** may extend the filing deadline for submitting supplemental or response comments.

~~(g)~~**(i) The commission director may allow additional written comment periods.**

**(j) The director shall issue a final report on the IRP within 30 days following the deadline for supplemental or response comments.**

**(k) The draft report and the final report shall be limited to the:**

**(1) informational;**

**(2) procedural; and**

**(3) methodological**

**requirements of this rule.**

**(l) The draft report and final report shall not comment on:**

**(1) the utility's preferred resource plan; or**

**(2) any resource action chosen by the utility.**

**(m) Upon appropriate notice to the utility and interested parties, the director may extend the deadlines for issuance of the draft report and the final report.**

**(n) Failure by the director to issue a draft or final report shall result in a presumption that the IRP complies with this rule.**

**(o) The following documents shall be made available on the commission's website:**

**(1) Written comments.**

**(2) Responsive comments.**

**(3) The draft report.**

**(4) The final report.**

**(h)****(p) The failure of an interested party to file comments pursuant to subsection (e) under this rule shall not constitute a waiver of any right to participate as a party or to advance**

any argument or position in a formally docketed proceeding before the commission. Similarly, the content of comments filed by an interested party under ~~subsection (e)~~ **this rule** shall not estop or preclude that party from advancing any argument or position in a formally docketed proceeding before the commission, whether or not that argument or position was raised in comments submitted under ~~subsection (e)~~ **this rule**.

**(q) Any resource action shall be consistent with the most recent IRP submitted under this rule, including its:**

- (1) inputs (including data and assumptions);**
- (2) methods (including models); and**
- (3) judgment factors (including the rationales used to determine inputs, methods, and risk metric(s));**

**unless any discrepancies between the most recent IRP and the resource action are fully explained and justified with supporting evidence, including updated IRP analyses.**

**(r) Documents submitted or created pursuant to this rule may be used as follows:**

- (1) To assist the commission in the preparation of an analysis of the long range needs for expansion of facilities for the generation of electricity and plan for meeting the future requirements of electricity as required by IC 8-1-8.5.**
- (2) In the preparation of a commission staff report in formally docketed proceedings before the commission.**
- (3) Submitted as evidence in a formally docketed proceeding before the commission. The commission shall give such weight as it determines appropriate to such evidence.**

*(Indiana Utility Regulatory Commission; 170 IAC 4-7-2; filed Aug 31, 1995, 9:00 a.m.:19 IR 18; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; errata filed Jul 21, 2009, 1:33 p.m.: 20090819-IR-170090571ACA)*

**SECTION 4. 170 IAC 4-7-2.1 IS ADDED TO READ AS FOLLOWS:**

**170 IAC 4-7-2.1 Public advisory process**

Authority: IC 8-1-1-3

Affected: IC 8-1-8.5

**Sec. 2.1 (a) The utility shall have a public advisory process as outlined in this section.**

**(b) The utility shall:**

- (1) provide information to;** and
- (2) solicit and consider relevant input from;**

**any interested party in regard to the development of the utility's IRP and related potential resource acquisition issues.**

**(c) The utility shall consider and respond to all relevant input provided by interested parties, including comments and concerns from the commission or its staff.**

**(d) The utility retains full responsibility for the content of its IRP.**

**(e) The public advisory process shall be administered as follows:**

**(1) The utility shall initiate and convene its own public advisory process. The utility will hold at least:**

- (A) one introductory meeting; and**
- (B) one meeting regarding its preferred resource portfolio;**

**before submittal of its IRP to the commission.**

**(2) Depending on the level of interest by commission staff, the public and interested parties in the utility’s public advisory process, the utility may hold additional meetings.**

**(3) The utility shall take reasonable steps:**

- (A) to notify its customers and the commission of its public advisory process; and**
- (B) provide notification to known interested parties.**

**(4) The timing of meetings shall be determined by the utility:**

- (A) to be consistent with its internal IRP development schedule; and**
- (B) to provide an opportunity for public participation in a timely manner that may affect the outcome of the utility resource planning efforts.**

**(5) The utility or its designee shall:**

- (A) chair the participation process;**
- (B) schedule meetings; and**
- (C) develop agendas for those meetings.**

**Participants are allowed to request that relevant items be placed on the agenda of the meetings if they provide adequate notice to the utility.**

**(6) Topics discussed in the public advisory process shall include, but are not limited to, the following:**

- (A) The utility’s load forecast.**
- (B) Evaluation of existing resources.**
- (C) Evaluation of supply and demand side resource alternatives, including:
  - (i) associated costs; and**
  - (ii) performance attributes.****
- (D) Modeling methods.**
- (E) Modeling inputs.**
- (F) Treatment of risk and uncertainty.**
- (G) Rationale for determining the preferred resource portfolio.**

*(Indiana Utility Regulatory Commission; 170 IAC 4-7-2.1)*

**SECTION 5. 170 IAC 4-7-2.2 IS ADDED TO READ AS FOLLOWS:**

**170 IAC 4-7-2.2 Contemporary issues technical conference**

Authority: IC 8-1-1-3

Affected: IC 8-1-8.5

**Sec. 2.2 (a) The commission or its staff may host an annual technical conference to help identify contemporary issues and encourage the identification and adoption of best practices to manage such issues.**

(b) The technical conference may also identify a standardized reporting format.

(c) The agenda of the technical conference shall be set by the commission staff that includes input from interested parties and utilities. Utilities and interested parties may petition or informally contact the commission staff to request the inclusion of specific contemporary issues.

(d) The director may provide guidance concerning specific contemporary issues for a utility to address in its next IRP filing. The director shall provide utilities with a written summary of the issues to be addressed. The utility shall, to the extent possible, provide either a discussion of the impacts of such issues on its IRP or demonstrate how it has taken such issues into account.

(e) The contemporary issues technical conference shall take place at least one (1) year prior to the filing date of a utility's IRP.

*(Indiana Utility Regulatory Commission; 170 IAC 4-7-2.2)*

## **SECTION 6. 170 IAC 4-7-3 IS AMENDED TO READ AS FOLLOWS:**

### **170 IAC 4-7-3 Waiver or variance requests**

Authority: IC 8-1-1-3

Affected: IC 5-14-3; IC 8-1-2-29; IC 8-1-2.2; IC 8-1-8.5-7; IC 8-1.5

Sec. 3. (a) ~~To assist the commission in its administration of the Utility Powerplant Construction Law, IC 8-1-8.5, this rule applies to the following:~~

~~(1) A public, municipally owned, or cooperatively owned utility.~~

~~(2) A joint agency created under IC 8-1-2.2. An individual member of a joint agency is not required to submit to the commission a separate integrated resource plan.~~

~~(b) This rule does not apply to a person who is exempt pursuant to IC 8-1-8.5-7.~~

~~(c) A utility operating or owning, in part or whole, an electrical generating facility as of January 1, 1995, to provide electric service within the state of Indiana must submit to the commission on a biennial basis, beginning on or before November 1, 1995, an integrated resource plan consistent with this rule. Upon request of a utility, the commission may grant an extension of any such submission dates, for good cause shown.~~

~~(d) A utility not subject to subsection (c) prior to constructing, purchasing, or leasing a generating facility to provide electric service within the state of Indiana must submit to the commission an integrated resource plan consistent with this rule. If the generating facility, after appropriate commission review, is constructed, purchased, or leased, the utility shall submit to the commission on a biennial basis, an integrated resource plan consistent with this rule.~~

~~(e) A utility subject to subsection (a) must submit to the commission, on or before the applicable date as specified in subsection (c) or (d), the following documents:~~

~~(1) The integrated resource plan.~~

~~(2) A technical appendix containing supporting documentation.~~

~~(f) If a utility considers information in the IRP or technical appendix to be proprietary or otherwise confidential, a utility must file concurrently a redacted version, a nonredacted version under seal which shall be treated as confidential pending completion of the proceeding described below, verified affidavits from appropriate representatives of the utility setting forth the reasons why the information is proprietary or otherwise confidential, and a petition requesting that the commission find that such information is confidential pursuant to IC 8-1-2-29 and IC 5-14-3. A~~

~~customer or interested party seeking access to or desiring to contest a commission determination regarding information claimed by a utility to be proprietary and confidential may do so only through intervention and participation in the proceeding on the utility petition requesting a finding of confidentiality. If, after review, the commission determines the information is proprietary or confidential, the commission and its staff will treat the information as proprietary or confidential in accordance with IC 8-1-2-29 and IC 5-14-3. The utility may request a waiver or a variance from a provision of this rule for good cause shown in advance of a filing date.~~

**(1) The request shall include:**

**(A) A description of the situation which necessitates the waiver or variance.**

**(B) Identification of the provision(s) of this rule for which the waiver or variance is requested.**

**(C) Explanation of the difference between the expected effects of complying with this rule on the utility, its customers, and participants in the public advisory process if the waiver or variance is not granted and the expected effect on such parties if granted.**

**(D) Explanation of how the waiver or variance is expected to aid or, at the least, not undermine the procedures and requirements of this rule.**

**(2) The request shall be submitted in sufficient time that the IRP submittal schedule shall not be adversely affected.**

**(b) The director shall respond in writing regarding acceptance or denial of a request under this section within fifteen (15) days. The request shall not be unreasonably denied, but any denials shall include the reason for the denial. If the director fails to respond within fifteen (15) days, the request shall be deemed accepted.**

**(c) The request by the utility and the director's acceptance or denial shall be posted on the commission's website.**

**(d) An appeal to the full commission of the director's acceptance or denial under this section must be filed with the commission within thirty (30) days of the posting of the director's written acceptance or denial of the request.**

*(Indiana Utility Regulatory Commission; 170 IAC 4-7-3; filed Aug 31, 1995, 9:00 a.m.: 19 IR 19; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)*

**SECTION 7. 170 IAC 4-7-4 IS AMENDED TO READ AS FOLLOWS:**

**170 IAC 4-7-4 Methodology and documentation requirements**

Authority: IC 8-1-1-3; IC 8-1-8.5

Affected: IC 8-1; IC 8-1.5

**Sec. 4. (a) The utility shall provide an IRP summary document that communicates core IRP concepts and results to non-technical audiences.**

**(1) The summary shall provide a brief description of the utility's existing resources, preferred resource portfolio, short term action plan, key factors influencing the preferred resource portfolio and short term action plan, and any additional details the commission staff may request as part of a contemporary issues meeting. The summary shall describe, in simple terms, the IRP public advisory process, if**

applicable, and core IRP concepts, including resource types and load characteristics.

(2) The utility shall utilize a simplified format that visually portrays the summary of the IRP in a manner that makes it understandable to a non-technical audience.

(3) The utility shall make this document readily accessible on its website.

(b) An IRP covering at least a twenty (20) year future period prepared by a utility must include the following:

(1) A discussion of the:

(A) inputs;

(B) methods ~~data, assumptions;~~ and

(C) definitions;

~~used in developing by the utility in the IRP and the goals and objectives of the plan. The following information must be included:~~

~~(1)~~ (2) The data sets, including data sources, used to establish base and alternative forecasts. A third party data source may be ~~presented in the form of a reference~~ **referenced**. The reference must include the source title, author, publishing address, date, and page number of relevant data. The data sets must include an explanation for adjustments. The data must be provided on electronic media, and may be submitted as a file separate from the IRP, or as specified by the commission.

~~(2)~~ (3) A description of the utility's effort to develop and maintain **a data base of electricity consumption patterns**, by customer class, rate class, ~~SIC-NAICS~~ code, and end-use, ~~a data base of electricity consumption patterns~~. The data base may be developed using, but not limited to, the following methods:

(A) Load research developed by the individual utility.

(B) Load research developed in conjunction with another utility.

(C) Load research developed by another utility and modified to meet the characteristics of that utility.

(D) Engineering estimates.

(E) Load data developed by a non-utility source.

~~(3)~~ (4) A proposed schedule for industrial, commercial, and residential customer surveys to obtain data on end-use appliance penetration, end-use saturation rates, and end-use electricity consumption patterns.

(4) (5) A discussion of ~~customer self-generation~~ **distributed generation** within the service territory and the potential effects on generation, transmission, and distribution planning and load forecasting.

~~(5) A description of model structure and an evaluation of model performance.~~

(6) A complete discussion of the alternative forecast scenarios developed and analyzed, including a justification of the assumptions and modeling variables used in each scenario.

(7) A ~~description~~ **discussion of how the utility's fuel inventory and procurement planning practices, including the rationale, used in the development of the utility's integrated resource plan have been taken into account and influenced the IRP development.**

(8) A ~~description~~ **discussion of how the SO<sub>2</sub> utility's emission allowance inventory and procurement planning practices for any air emission regulated through an emission allowance system have been taken into account and influenced the IRP development including the rationale, used in the development of the utility's integrated resource plan.**

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(9) A description of the generation expansion planning criteria used in developing the IRP. The description must fully explain the basis for the criteria selected, including an analysis and rationale for the level of system-wide generation reliability assumed in the IRP.

(10) A regional, or at a minimum, Indiana-specific power flow study prepared by a regional or subregional organization. This requirement may be met by submitting Federal Energy Regulatory Commission (FERC) Form 715, as adopted in Docket No. RM93-10-00, in effect October 30, 1993. The power flow study shall include the following:

- (A) Solved real flows.
- (B) Solved reactive flows.
- (C) Voltages.
- (D) Detailed assumptions.
- (E) Brief description of the model(s).
- (F) Glossary of terms with cross-references to the names of buses and line terminals.
- (G) Sensitivity analysis, including, but not limited to, the forecast of the following:
  - (i) Summer and winter peak conditions.
  - (ii) Light load as well as heavy transfer conditions for one (1), two (2), five (5), and ten (10) years out.
  - (iii) Branch circuit ratings, including, but not limited to, normal, long term, short term, and emergency.

(11) Any recent dynamic stability study prepared for the utility or by the utility. This requirement may be met by submitting FERC Form 715, as adopted in Docket No. RM93-10-00, in effect October 30, 1993. **A brief description and discussion within the body of the IRP focusing on the utility's Indiana jurisdictional facilities with regard to the following components of FERC Form 715:**

- (A) Most current power flow data models, studies, and sensitivity analysis.**
- (B) Dynamic simulation on its transmission system, including interconnections, focused on the determination of the performance and stability of its transmission system on various fault conditions. The simulation must include the capability of meeting the standards of the North American Electric Reliability Corporation (NERC).**
- (C) Reliability criteria for transmission planning as well as the assessment practice used. The information and discussion must include the limits set of its transmission use, its assessment practices developed through experience and study, and certain operating restrictions and limitations particular to it.**
- (D) Various aspects of any joint transmission system, ownership, and operations and maintenance responsibilities as prescribed in the terms of the ownership, operation, maintenance, and license agreement.**

(12) Applicable transmission maps. This requirement may be met by submitting FERC Form 715, as adopted in Docket No. RM93-10-00, in effect October 30, 1993.

(13)(11) A description of reliability criteria for transmission planning as well as the assessment practice used. This requirement may be met by submitting FERC Form 715, as adopted in Docket No. RM93-10-00, in effect October 30, 1993. **An explanation of**

**the contemporary methods utilized by the utility in developing the IRP, including a description of the following:**

**(A) Model structure and reasoning for use of particular model or models in the utility's IRP.**

**(B) The utility's effort to develop and improve the methodology and inputs for its:**

**(i) forecast;**

**(ii) cost estimates;**

**(iii) treatment of risk and uncertainty; and**

**(iv) evaluation of a resource (supply-side or demand-side)**

**alternative's contribution to system wide reliability. The measure of system wide reliability must cover the reliability of the entire system, including:**

**(AA) transmission; and**

**(BB) generation.**

~~(14) An evaluation of the reliability criteria in relation to present performance and the expected performance of the utility's transmission system. This requirement may be met by submitting FERC Form 715, as adopted in Docket No. RM93-10-00, in effect October 30, 1993.~~

~~(15) A description of the utility's effort to develop and improve the methodology and the data for evaluating a resource (supplyside or demand-side) option's contribution to system wide reliability. The measure of system wide reliability must cover the reliability of the entire system, including transmission, distribution, and generation.~~

~~(16)~~**(12) An explanation, with supporting documentation, of the avoided cost calculation. An avoided cost must be calculated for each year in the forecast period. The avoided cost calculation must reflect timing factors specific to the resource under consideration such as project life and seasonal operation. Avoided cost shall include, but is not limited to, the following:**

**(A) The avoided generating capacity cost adjusted for transmission and distribution losses and the reserve margin requirement.**

**(B) The avoided transmission capacity cost.**

**(C) The avoided distribution capacity cost.**

**(D) The avoided operating cost, including fuel, plant operation and maintenance, spinning reserve, emission allowances, and transmission and distribution operation and maintenance.**

~~(17)~~**(13) The hourly system lambda and the actual demand for all hours of the most recent historical year available, which shall be submitted electronically and may be a separate file from the IRP. For purposes of comparison, a utility must maintain three (3) years of hourly data and the corresponding dispatch logs.**

~~(18)~~**(14) A description Publicly owned utilities shall provide a summary of the utility's:**

**(A) most recent public participation procedure if the utility conducts a procedure prior to the submission of an IRP to the commission advisory process;**

**(B) key issues discussed; and**

**(C) how they were addressed by the utility.**

(Indiana Utility Regulatory Commission; 170 IAC 4-7-4; filed Aug 31, 1995, 9:00 a.m.: 19 IR 20; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

**SECTION 8. 170 IAC 4-7-5 IS AMENDED TO READ AS FOLLOWS:**

**170 IAC 4-7-5 Energy and demand forecasts**

Authority: IC 8-1-1-3

Affected: IC 8-1-8.5; IC 8-1.5

Sec. 5. (a) An electric utility subject to this rule shall prepare an analysis of historical and forecasted levels of peak demand and energy usage which includes the following:

(1) ~~An historical and projected analysis of a variety of load shapes, including, but not limited to, the following:~~

(A) Annual load shapes.

(B) Seasonal load shapes.

(C) Monthly load shapes.

(D) Selected weekly and daily load shapes. Daily load shapes shall include, at a minimum, summer and winter peak days and a typical weekday and weekend day.

(2) Historical and projected load shapes shall be disaggregated, to the extent possible, by customer class, interruptible load, and end-use and demand-side management program.

(3) Disaggregation of historical data and forecasts by customer class, interruptible load, and end-use where information permits.

(4) ~~The use and reporting of Actual and weather normalized energy and demand levels.~~

(5) A discussion of all methods and processes used to normalize for weather.

(6) A **minimum** twenty (20) year period for energy and demand forecasts.

(7) An evaluation of the performance of energy and demand forecasts for the previous ten (10) years, including, but not limited to, the following:

(A) Total system.

(B) Customer classes or rate classes, or both.

(C) Firm wholesale power sales.

(8) ~~If an end-use methodology has not been used in forecasting, an explanation as to why this methodology has not been used.~~ **Justification for the selected forecasting methodology.**

(9) For purposes of ~~section 5(a)(1) and 5(a)(2) [subdivisions (1) and (2)]~~ **subdivisions (1) and (2)**, a utility may use utility specific data or more generic data, such as, but not limited to, the types of data described in ~~section 4(2)~~ **4(b)(2)** of this rule.

(b) A utility shall provide at least three (3) alternative forecasts of peak demand and energy usage. At a minimum, the utility shall include high, low, and most probable energy and peak demand forecasts based on ~~combinations of~~ alternative assumptions such as:

(1) Rate of change in population.

(2) Economic activity.

(3) Fuel prices.

(4) Changes in technology.

(5) Behavioral factors affecting customer consumption.

(6) State and federal energy policies.

(7) State and federal environmental policies.  
(Indiana Utility Regulatory Commission; 170 IAC 4-7-5; filed Aug 31, 1995, 9:00 a.m.: 19 IR 21; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

**SECTION 9. 170 IAC 4-7-6 IS AMENDED TO READ AS FOLLOWS:**

**170 IAC 4-7-6 Resource assessment**

Authority: IC 8-1-1-3

Affected: IC 8-1-8.5; IC 8-1.5

Sec. 6. (a) ~~For each year of the planning period, excluding subsection 6(a)(6) [subdivision (6)], recognizing the potential effects of self-generation, an electric~~ **The utility shall consider continued use of an existing resource as a resource alternative in meeting future electric service requirements. The utility shall provide a description of the utility's existing** electric power resources that must include, at a minimum, the following information:

- (1) The net dependable generating capacity of the system and each generating unit.
- (2) The expected changes to existing generating capacity, including, but not limited to, the following:

- (A) Retirements.
- (B) Deratings.
- (C) Plant life extensions.
- (D) Repowering.
- (E) Refurbishment.

- (3) A fuel price forecast by generating unit.
- (4) The significant environmental effects, including:

- (A) air emissions;
- (B) solid waste disposal;
- (C) hazardous waste; and
- (D) subsequent disposal; **and**
- (E) **water consumption and discharge;**

at each existing fossil fueled generating unit.

- (5) ~~The scheduled power import and export transactions, both firm and nonfirm, as well as cogeneration and non-utility production expected to be available for purchase by the utility.~~

- ~~(6)~~ An analysis of the existing utility transmission system that includes the following:

- (A) An evaluation of the adequacy to support load growth and ~~long term power purchases and sales~~ **expected power transfers.**
- (B) An evaluation of the supply-side resource potential of actions to reduce transmission losses, **congestion, and energy costs.**
- (C) An evaluation of the potential impact of demand-side resources on the transmission network.
- (D) An assessment of the transmission component of avoided cost.

- ~~(7)~~**(6)** A discussion of demand-side programs, including existing company-sponsored and government-sponsored or mandated energy conservation or load management programs

available in the utility's service area and the estimated impact of those programs on the utility's historical and forecasted peak demand and energy.

**The information listed above in subdivision (a)(1) through subdivision (a)(4) and in subdivision (a)(6) shall also be provided for each year of the planning period.**

(b) An electric utility shall consider alternative methods of meeting future demand for electric service. A utility must consider a demand-side resource, including innovative rate design, as a source of new supply in meeting future electric service requirements. The utility shall consider a comprehensive array of demand-side measures that provide an opportunity for all ratepayers to participate in DSM, including low-income residential ratepayers. For a utility-sponsored program identified as a potential demand-side resource, the utility's ~~plan~~-IRP shall, at a minimum, include the following:

- (1) A description of the demand-side program considered.
- ~~(2) A detailed account of utility strategies designed to capture lost opportunities.~~
- ~~(3)~~ (3) The avoided cost projection on an annual basis for the forecast period that accounts for avoided generation, transmission, and distribution system costs. The avoided cost calculation must reflect timing factors specific to resources under consideration such as project life and seasonal operation.
- ~~(4)~~ (3) The customer class or end-use, or both, affected by the program.
- ~~(5)~~ (4) A participant bill reduction projection and participation incentive to be provided in the program.
- ~~(6)~~ (5) A projection of the program cost to be borne by the participant.
- ~~(7)~~ (6) Estimated energy (kWh) and demand (kW) savings per participant for each program.
- ~~(8)~~ (7) The estimated program penetration rate and the basis of the estimate.
- ~~(9)~~ (8) The estimated impact of a program on the utility's load, generating capacity, and transmission and distribution requirements.

(c) A utility shall consider **a range of supply-side resources including cogeneration and non-utility generation** as an alternative in meeting future electric service requirements. **This range shall include commercially available resources or resources the director may request as part of a contemporary issues technical conference.** The utility's ~~plan~~-IRP shall include, at a minimum, the following:

- (1) Identify and describe the resource considered, including the following:
  - (A) Size (MW).
  - (B) Utilized technology and fuel type.
  - (C) Additional transmission facilities necessitated by the resource.
- ~~(2) Significant environmental effects, including the following:~~
  - ~~(A) Air emissions.~~
  - ~~(B) Solid waste disposal.~~
  - ~~(C) Hazardous waste and subsequent disposal.~~
- ~~(3) An analysis of how a proposed generation facility conforms with the utility-wide plan to comply with the Clean Air Act Amendments of 1990.~~
- (4) A discussion of the utility's effort to coordinate planning, construction, and operation of the supply-side resource with other utilities to reduce cost.

(d) A utility shall ~~identify~~ **consider new or upgraded** ~~transmission and distribution facilities required to meet, in an economical and reliable manner, future electric service requirements as a resource in meeting future electric service requirements, including new~~

**projects, efficiency improvements, and smart grid resources.** The ~~plan~~**IRP** shall, at a minimum, include the following:

- ~~(1) An analysis of transmission network capability to reliably support the loads and resources placed upon the network.~~
- ~~(2) A list of the principal criteria upon which the design of the transmission network is based. Include an explanation of the principal criteria and their significance in identifying the need for and selecting transmission facilities.~~
- ~~(3) A description of the timing and types of expansion and alternative options considered.~~
- ~~(4) (2) The approximate cost of expected expansion and alteration of the transmission network.~~
- (3) A description of how the IRP accounts for the value of new or upgraded transmission facilities for the purposes of increasing needed power transfer capability and increasing the utilization of cost effective resources that are geographically constrained.**
- (4) A description of how:**
  - (A) IRP data and information are used in the planning and implementation processes of the RTO of which the utility is a member; and**
  - (B) RTO planning and implementation processes are used in and affect the IRP.**

*(Indiana Utility Regulatory Commission; 170 IAC 4-7-6; filed Aug 31, 1995, 9:00 a.m.: 19 IR 22; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)*

## **SECTION 10. 170 IAC 4-7-7 IS AMENDED TO READ AS FOLLOWS:**

### **170 IAC 4-7-7 Selection of future resources**

Authority: IC 8-1-1-3

Affected: IC 8-1-8.5; IC 8-1.5

Sec. 7. (a) In order to eliminate nonviable alternatives, a utility shall perform an initial screening of all future resource alternatives listed in sections 6(b) through 6(c) of this rule. The utility's screening process and the decision to reject or accept a resource alternative for further analysis must be fully explained and supported **in, but not limited to, a resource summary table. The following information must be provided for a resource selected for further analysis:**

- (1) Significant environmental effects, including the following:**
  - (A) Air emissions.**
  - (B) Solid waste disposal.**
  - (C) Hazardous waste and subsequent disposal.**
  - (D) Water consumption and discharge.**

- (2) An analysis of how existing and proposed generation facilities conform to the utility-wide plan to comply with existing and reasonably expected future state and federal environmental regulations, including facility-specific and aggregate compliance options and associated performance and cost impacts.**

(b) Integrated resource planning includes one (1) or more tests used to evaluate the cost-effectiveness of a demand-side resource option. A cost-benefit analysis must be performed using the following tests except as provided under subsection (e):

- (1) Participant.
- (2) Ratepayer impact measure (RIM).
- (3) Utility cost (UC).
- (4) Total resource cost (TRC).
- (5) Other reasonable tests accepted by the commission.

(c) A utility is not required to express a test result in a specific format. However, a utility must, in all cases, calculate the net present value of the program impact over the life cycle of the impact. A utility shall also explain the rationale for choosing the discount rate used in the test.

(d) A utility is required to:

- (1) specify the components of the benefit and the cost for each of the major tests; and
- (2) identify the equation used to express the result.

(e) If a reasonable cost-effectiveness analysis for a demand-side management program cannot be performed using the tests in subsection (b), where it is difficult to establish an estimate of load impact, such as a generalized information program, the cost-effectiveness tests are not required.

(f) To determine cost-effectiveness, the RIM test must be applied to a load building program. A load building program shall not be considered as an alternative to other resource options.

*(Indiana Utility Regulatory Commission; 170 IAC 4-7-7; filed Aug 31, 1995, 9:00 a.m.: 19 IR 23; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)*

## **SECTION 11. 170 IAC 4-7-8 IS AMENDED TO READ AS FOLLOWS:**

### **170 IAC 4-7-8 Resource integration**

Authority: IC 8-1-1-3

Affected: IC 8-1-8.5; IC 8-1.5

**Sec. 8. (a) The utility shall develop candidate resource portfolios from the selection of future resources in section 7 and provide a description of its process for developing its candidate resource portfolios.**

**(b) ~~A~~ From its candidate resource portfolios, a utility shall select a ~~mix of resources~~ consistent with the objectives of the integrated resource plan. ~~The utility must~~ **preferred resource portfolio and** provide the commission, at a minimum, the following information:**

- (1) Describe the utility's ~~resource plan~~ preferred resource portfolio.**
- (2) Identify the variables, standards of reliability, and other assumptions expected to have the greatest effect on the ~~least cost mix of resources~~ preferred resource portfolio.**
- (3) ~~Determine the present value revenue requirement of the utility's resource plan, stated in total dollars and in dollars per kilowatt hour delivered, with the discount rate specified.~~ Demonstrate that supply-side and demand-side resource alternatives have been evaluated on a consistent and comparable basis.**
- (4) Demonstrate that the utility's ~~resource plan~~ preferred resource portfolio utilizes, to the extent practical, all economical load management, ~~conservation~~ demand side management, ~~nonconventional~~ technology relying on renewable resources, cogeneration, distributed generation, energy storage, transmission, and energy efficiency improvements as sources of new supply.**

~~(5) Discuss how the utility's resource plan takes into account the utility's judgment of risks and uncertainties associated with potential environmental and other regulations.~~

~~(6) Demonstrate that the most economical source of supply side resources has been included in the integrated resource plan.~~

~~(7) Discuss the utility's evaluation of dispersed generation and targeted DSM programs including their impacts, if any, on the utility's transmission and distribution system for the first ten (10) years of the planning period.~~

~~(8)~~ **(6) Discuss the financial impact on the utility of acquiring future resources identified in the utility's resource plan preferred resource portfolio. The discussion of the preferred resource portfolio shall include, where appropriate, the following:**

~~(A) The Operating and capital costs of the integrated resource plan.~~

~~(B) The average price cost per kilowatt-hour as calculated in the resource plan. The price, which must be consistent with the electricity price assumption used to forecast the utility's expected load by customer class in section 5 of this rule.~~

~~(C) An estimate of the utility's avoided cost for each year of the plan preferred resource portfolio.~~

~~(D) The impact of a planned addition to supply side or demand side resources on the utility's rate.~~

~~(E) The utility's ability to finance the acquisition of a required new resource preferred resource portfolio.~~

~~(9) Identify and explain assumptions concerning existing and proposed regulations, laws, practices, and policies made concerning decisions used in formulating the IRP.~~

**(7) Demonstrate how the preferred resource portfolio balances cost minimization with cost-effective risk and uncertainty reduction, including the following.**

**(A) Identification and explanation of assumptions.**

**(B) Quantification, where possible, of assumed risks and uncertainties, which may include, but are not limited to:**

**(i) regulatory compliance;**

**(ii) public policy;**

**(iii) fuel prices;**

**(iv) construction costs;**

**(v) resource performance;**

**(vi) load requirements;**

**(vii) wholesale electricity and transmission prices;**

**(viii) RTO requirements; and**

**(ix) technological progress.**

**(C) An analysis of how candidate resource portfolios performed across a wide range of potential futures.**

**(D) The results of testing and rank ordering the candidate resource portfolios by the present value of revenue requirement and risk metric(s). The present value of revenue requirement shall be stated in total dollars and in dollars per kilowatt-hour delivered, with the discount rate specified.**

**(E) An assessment of how robustness factored into the selection of the preferred resource portfolio.**

~~(10)~~ **(8) Demonstrate, to the extent practicable and reasonable, that the utility's resource plan preferred resource portfolio incorporates a workable strategy for reacting to**

unexpected changes. A workable strategy is one that allows the utility to adapt to unexpected circumstances **quickly and appropriately** and preserves the plan's ability to achieve its intended purpose. Unexpected changes include, but are not limited to, the following:

- (A) The demand for electric service.
- (B) The cost of a new supply-side or demand-side technology.
- (C) **Regulatory compliance requirements and costs.**
- (D) Other factors which would cause the forecasted relationship between supply and demand for electric service to be in error.

*(Indiana Utility Regulatory Commission; 170 IAC 4-7-8; filed Aug 31, 1995, 9:00 a.m.: 19 IR 23; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)*

## **SECTION 12. 170 IAC 4-7-9 IS AMENDED TO READ AS FOLLOWS:**

### **170 IAC 4-7-9 Short term action plan**

Authority: IC 8-1-1-3

Affected: IC 8-1-8.5; IC 8-1.5

Sec. 9. A short term action plan shall be prepared as part of the utility's IRP ~~filed or separately,~~ and shall cover each of the ~~two (2)~~ **three (3)** years beginning with the IRP submitted pursuant to this rule. The short term action plan is a summary of the ~~resource options or programs contained in the utility's current integrated resource plan~~ **preferred resource portfolio and its workable strategy, as described in 170 IAC 4-7-8(b)(8)**, where the utility must take action or incur expenses during the ~~two (2)~~ **three (3)** year period. The short term action plan must include, but is not limited to, the following:

- (1) A description of each resource ~~option or program~~ **in the preferred resource portfolio** included in the short term action plan. **The description may include references to other sections of the IRP to avoid duplicate descriptions.** The description must include, but is not limited to, the following:
  - (A) The objective of the ~~resource option or program~~ **preferred resource portfolio.**
  - (B) The criteria for measuring progress toward the objective.
  - ~~(C) The actual progress toward the objective to date.~~
- (2) ~~The participation of small business in the implementation of a DSM resource option or program.~~
- (3) ~~The implementation schedule for the resource option or program~~ **preferred resource portfolio.**
- (4) ~~The timetable for implementation and resource acquisition.~~
- (5) **(3) A detailed budget with an estimated range for the cost to be incurred for each resource or program and expected system impacts.**
- (4) **A description and explanation of differences between what was stated in the utility's last filed short term action plan and what actually transpired.**

*(Indiana Utility Regulatory Commission; 170 IAC 4-7-9; filed Aug 31, 1995, 9:00 a.m.: 19 IR 24; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)*

**SECTION 13. 170 IAC 4-7-10 IS ADDED TO READ AS FOLLOWS:**

**170 IAC 4-7-10 Updates**

Authority: IC 8-1-1-3

Affected: IC 8-1-8.5; IC 8-1.5

**Sec. 10. (a) The utility may provide an update regarding substantial unexpected changes that occur between IRP filings.**

**(b) Upon the request of the commission or its staff, the utility shall provide the requested updated IRP information.**

*(Indiana Utility Regulatory Commission; 170 IAC 4-7-10)*

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**INDIANA UTILITY REGULATORY COMMISSION**  
**IRP-EEP Rulemaking – IURC RM #15-06**

**Rulemaking information:**

IURC website: [www.in.gov/iurc](http://www.in.gov/iurc)

IURC RM #15-06 direct link: <http://www.in.gov/iurc/2842.htm>

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