

ORIGINAL

Commissioner	Yes	No	Not Participating
Huston	√		
Bennett	√		
Freeman	√		
Veleta	√		
Ziegner	√		

**STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION**

**PETITION OF OHIO VALLEY GAS CORPORATION)
AND OHIO VALLEY GAS, INC. FOR APPROVAL) CAUSE NO. 44147 GCA 46
OF CHANGES TO THEIR GCA RATES IN)
ACCORDANCE WITH INDIANA CODE 8-1-2-42(G)) APPROVED: JUN 26 2024**

ORDER OF THE COMMISSION

**Presiding Officer:
Kehinde Akinro, Administrative Law Judge**

On May 6, 2024, in accordance with Ind. Code § 8-1-2-42, Ohio Valley Gas Corporation (“OVGC”) and Ohio Valley Gas, Inc. (“OVGI”) (collectively “OVG” or “Petitioners”) filed their Petition for Gas Cost Adjustment (“GCA”) to be applicable during the months of July, August and September 2024. The filing included all exhibits and schedules to its GCA, and the verified testimony of Emily M. Harlow, OVG’s Manager of Finance and Regulatory Services, supporting the proposed GCA factors. OVG filed Ms. Harlow’s supplemental testimony and two revised exhibits on May 23, 2024. On June 4, 2024, in conformance with the statute, the Indiana Office of Utility Consumer Counselor (“OUCC”) filed the statistical report, factor calculations, and testimony of Mohab M. Noureldin, Utility Analyst with the Natural Gas Division of the OUCC.

The Indiana Utility Regulatory Commission (“Commission”) set this matter for an Evidentiary Hearing which was conducted virtually via the Microsoft Teams platform on June 19, 2024 at 10:30 a.m. OVG and the OUCC, by counsel, participated in the hearing. OVG’s verified testimony and exhibits, as originally filed and as amended, as well as the OUCC’s testimony and exhibits, were admitted into the record without objection.

Based upon the applicable law and the evidence presented, the Commission finds:

1. Statutory Notice and Commission Jurisdiction. Notice of the hearing in this Cause was given and published by the Commission as required by law. Petitioners are public utilities as defined in Ind. Code § 8-1-2-1(a). Under Ind. Code § 8-1-2-42(g), the Commission has jurisdiction over changes to Petitioners’ rates and charges related to adjustments in gas costs. Therefore, the Commission has jurisdiction over Petitioners and the subject matter of this Cause.

2. Petitioners’ Characteristics. Petitioners are public utility corporations organized and existing under the laws of the State of Indiana. Petitioners’ principal office is located at 111 Energy Park Drive, Winchester, Indiana. Petitioners render natural gas utility service to the public and own, operate, manage, and control plant and equipment used for the distribution and furnishing of such services. OVGC’s ANR Pipeline Company (“ANR”) service area is comprised of natural gas customers in Dubois, Jay, Randolph, Spencer, and Wayne Counties in Indiana. OVGC’s Texas Gas Transmission, LLC (“Texas Gas”) service area is comprised of natural gas customers in Dearborn, Fayette, Franklin, Perry, Ripley, Spencer, and Union Counties in Indiana. OVGI serves natural gas customers in Greene, Knox, Pike, Sullivan, and Vigo Counties in Indiana. OVGC’s

Midwest Gas Transmission (“MGT”) service area consists of the Town of Grandview in Spencer County.

3. Source of Natural Gas. Ind. Code § 8-1-2-42(g)(3)(A) requires Petitioners to make every reasonable effort to acquire long-term natural gas supplies to provide service to their retail customers at the lowest gas cost reasonably possible.

OVG’s witness Emily M. Harlow testified that Petitioners have long-term contracts with ANR and Texas Gas for pipeline capacity and storage.

The Commission has indicated that Indiana’s gas utilities should make reasonable efforts to mitigate gas price volatility. This includes a program that considers market conditions and the price of natural gas on both current and forward-looking bases. Based on the evidence offered, we find that Petitioners have demonstrated that they have and continue to follow a policy of securing natural gas supply at the lowest gas cost reasonably possible in order to meet anticipated customer requirements. Therefore, we find that the requirement of this statutory provision has been fulfilled.

4. Purchased Gas Cost Rates. Ind. Code § 8-1-2-42(g)(3)(B) requires that Petitioners’ pipeline suppliers have requested or filed pursuant to the jurisdiction and procedures of a duly constituted regulatory authority the costs proposed to be included in the GCA factor. The evidence of record indicates that the proposed gas costs include transport rates that have been filed by Petitioners’ pipeline suppliers in accordance with Federal Energy Regulatory Commission procedures. We have reviewed the cost of gas included in the proposed gas cost adjustment charge and find the cost to be reasonable. Therefore, we find that the requirement of this statutory provision has been fulfilled.

5. Earnings Test. Ind. Code § 8-1-2-42(g)(3)(C), in effect, prohibits approval of a GCA factor that results in Petitioners earning a return in excess of the return authorized by the last Commission Order in which Petitioners’ basic rates and charges were approved. OVG’s current basic rates and charges were approved on October 17, 2017 in Cause No. 44891, with adjustments for ongoing TDSIC filings. The Commission authorized Petitioners to earn a net operating income of \$4,610,537.

The evidence of record indicates that for the 12 months ending February 29, 2024, Petitioners’ actual utility operating income was negative \$480,499. Therefore, based on the evidence of record, we find Petitioners are not earning a return in excess of that authorized in their last rate case with adjustments for ongoing TDSIC filings.

6. Estimation of Purchased Gas Costs. Ind. Code § 8-1-2-42(g)(3)(D) requires that Petitioners’ estimate of their prospective average gas costs for each future recovery period be reasonable. The Commission has determined that this requires, in part, a comparison of the variance to the incremental cost of gas on Schedule 6 be used to determine if the prior estimates are reasonable when compared to the corresponding actual costs. A 12-month rolling average comparison helps to eliminate the inherent variance related to cycle billing and seasonal fluctuations. The evidence presented indicates Petitioners’ 12-month rolling average comparison for the reconciliation period for its ANR and Texas Gas pipeline service areas was negative 0.94%,

and for its much smaller MGT service area was 12.69%. OVG's witness Ms. Harlow testified the 12-month rolling average variance for Grandview is due to a recurring issue with MGT's meter not reading accurately. Based upon OVG's historical accuracy in estimating the cost of gas and the testimony provided, we find that Petitioners' estimating techniques are sound, and Petitioners' prospective average estimate of gas costs is reasonable.

7. Reconciliations.

A. Variances. Ind. Code § 8-1-2-42(g)(3)(D) also requires that the Petitioners reconcile their estimates for a previous recovery period with the actual purchased gas cost for that period. This reconciliation is now done with both OVG's ANR and Texas Gas service areas as one variance and OVG's MGT (Grandview) as a separate variance.

The evidence presented in this proceeding establishes that the ANR and Texas Gas variance on Schedule 12B for the reconciliation period of December 2023 through February 2024 ("Reconciliation Period") is an under-collection of \$362,649 from their customers. This amount should be included, based on estimated sales percentages, in this GCA and the next three GCAs. The amount of the Reconciliation Period variance to be included in this GCA as an increase in the estimated net cost of gas is \$8,631. The variances from prior recovery periods applicable to the current recovery period is an over-collection of \$12,263. Combining this amount with the Reconciliation Period variance results in a total over-collection of \$3,632 to be applied in this GCA as a decrease in the estimated net cost of gas.

The evidence presented in this proceeding establishes that the MGT variance on Schedule 12B-G for the Reconciliation Period is an under-collection of \$6,137 from their customers. This amount should be included, based on estimated sales percentages, in this GCA and the next three GCAs. The amount of the Reconciliation Period variance to be included in this GCA as an increase in the estimated net cost of gas is \$125. The variances from prior recovery periods applicable to the current recovery period is an under-collection of \$54. Combining this amount with the Reconciliation Period variance results in an under-collection of \$179 to be applied in this GCA as an increase in the estimated net cost of gas.

B. Refunds. The Petitioners had no refunds for the ANR and Texas gas pipeline service area from their pipeline suppliers during the Reconciliation Period but have \$28,418 in refunds from prior periods applicable to the current recovery period. We find that this amount should be refunded to customers in this GCA, as reflected on Schedule 12A.

The Petitioners similarly had no refunds for the MGT pipeline service area during the Reconciliation Period but have \$172 in refunds from prior periods applicable to the current recovery period. We find that this amount should be refunded to customers in this GCA, as reflected on Schedule 12A-G.

8. Resulting Gas Cost Adjustment Factor. The estimated net cost of gas to be recovered for ANR and Texas Gas for July 2024 is \$264,902, for August 2024 is \$273,713, and for September 2024 is \$306,179. Adjusting these totals for the variance and refund amounts yields gas costs to be recovered through the GCA factor of \$256,156 for July 2024, \$264,031 for August

2024, and \$292,557 for September 2024. After dividing that amount by estimated sales, OVG's recommended GCA factors are \$10.985/Dth for July 2024, \$10.227/Dth for August 2024, and \$8.055/Dth for September 2024.

The estimated net cost of gas to be recovered for MGT (Grandview) for July 2024 is \$260, for August 2024 is \$319, and for September 2024 is \$492. Adjusting these totals for the variance and refund amounts yields gas costs to be recovered through the GCA factor of \$261 for July 2024, \$321 for August 2024, and \$496 for September 2024. After dividing that amount by estimated sales, OVG's recommended GCA factors for MGT are \$3.480/Dth for July 2024, \$3.489/Dth for August, 2024 and \$3.493/Dth for September 2024.

9. Effects on Residential Customers. Petitioners request authority to approve the GCA factors of \$10.985/Dth for July 2024, \$10.227/Dth for August 2024, and \$8.055/Dth for September 2024 for their ANR and Texas Gas pipeline service areas. The table below shows the commodity costs a residential customer will incur under the proposed GCA factor based on 10 Dths of usage. The table also compares the proposed gas costs to what a residential customer paid most recently (May 2024 - \$4.663/Dth) and a year ago (July 2023 - \$10.599/Dth, August 2023 - \$9.782/Dth, and September 2023 - \$7.429/Dth) for their ANR and Texas Gas pipeline service areas. The table reflects costs approved through the GCA process. It does not include Petitioners' base rates or any applicable rate adjustment mechanisms.

ANR and Texas Gas		Current		Year Ago	
Month	Proposed Gas Costs (10 Dth)	Gas Costs (10 Dth)	Difference From Current	Gas Costs (10 Dth)	Difference From Year Ago
July 2024	\$109.85	\$46.63	\$63.22	\$105.99	\$3.86
August 2024	\$102.27	\$46.63	\$55.64	\$97.82	\$4.45
September 2024	\$80.55	\$46.63	\$33.92	\$74.29	\$6.26

Petitioners request authority to approve the GCA factors of \$3.480/Dth for July 2024, \$3.489/Dth for August 2024 and \$3.493/Dth for September 2024 for their MGT pipeline service areas. The table below shows the commodity costs a residential customer will incur under the proposed GCA factor based on 10 Dths of usage. The table also compares the proposed gas costs to what a residential customer paid most recently (May 2024 - \$3.919/Dth) and a year ago (\$3.485/Dth for July 2023, \$3.489 for August 2023 and \$3.479 for September 2023) for their MGT Grandview pipeline service areas. The table reflects costs approved through the GCA process. It does not include Petitioners' base rates or any applicable rate adjustment mechanisms.

MGT Grandview		Current		Year Ago	
Month	Proposed Gas Costs (10 Dth)	Gas Costs (10 Dth)	Difference From Current	Gas Costs (10 Dth)	Difference From Year Ago
July 2024	\$34.80	\$39.19	(\$4.39)	\$34.85	(\$0.05)
August 2024	\$34.89	\$39.19	(\$4.30)	\$34.89	\$0.00
September 2024	\$34.93	\$39.19	(\$4.26)	\$34.79	\$0.14

10. Interim Rates. We are unable to determine whether Petitioners will earn an excess return while these GCA factors are in effect. Accordingly, the rates approved in this Order are interim rates subject to refund pending reconciliation in the event an excess return is earned.

11. Monthly Flex Mechanism. The Commission has indicated in prior Orders that Indiana’s gas utilities should make reasonable efforts to mitigate gas price volatility. The monthly flex mechanism is designed to address this concern. Petitioner has elected to utilize a monthly flex mechanism to adjust its GCA factor up to the cap of \$2.00 on the total GCA factor monthly. Since Petitioner is utilizing a monthly flex mechanism, Petitioner must file a monthly flex tariff in the applicable GCA proceeding, including a notification of not flexing as warranted. The flex mechanism is to be filed not later than three business days before the beginning of each calendar month during the GCA period.

12. Other Matters. Ind. Code 8-1-2-42(g)(1) provides that “[i]n addition, before such an adjustment to the gas cost charge becomes effective, the commission shall hold a summary hearing on the sole issue of the gas cost adjustment. The utility consumer counselor shall conduct the utility consumer counselor’s review and make a report to the commission within 30 days after the utility’s request for the gas cost adjustments is filed. The commission shall hold the summary hearing and issue its order within 30 days after it receives the utility consumer counselor’s report.” Petitioner filed this matter on May 6, 2024, which according to statute would give the Commission until July 5, 2024 to issue its order. Petitioner requested for approval of GCA factors for July, August, and September, which only gives the Commission until the end of June to issue the Order. To allow the Commission the allotted time under statute, it is ordered that Ohio Valley Gas file its next Petition for Gas Cost Adjustment by August 1, 2024.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. The Petition of Ohio Valley Gas Corporation and Ohio Valley Gas, Inc. for the gas cost adjustment for natural gas service, as set forth in Paragraph No. 8, is approved, subject to refund in accordance with Paragraph No. 10.

2. Petitioners shall file a monthly flexed tariff under this Cause for approval by the Commission’s Energy Division. Such rates shall be effective on or after the date of this Order, subject to Division review and agreement with the amounts reflected.

3. This Order shall be effective on and after the date of its approval.

HUSTON, BENNETT, FREEMAN, VELETA, AND ZIEGNER CONCUR:

APPROVED: JUN 26 2024

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

**Dana Kosco
Secretary of the Commission**