

FILED

JUL 19 2013

STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION

INDIANA UTILITY  
REGULATORY COMMISSION

PETITION OF NORTHERN INDIANA PUBLIC )  
SERVICE COMPANY FOR APPROVAL OF )  
PETITIONER'S 7-YEAR PLAN FOR ELIGIBLE ) CAUSE NO. 44370  
TRANSMISSION, DISTRIBUTION AND )  
STORAGE SYSTEM IMPROVEMENTS, )  
PURSUANT TO IND. CODE § 8-1-39-10(a). )

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VERIFIED PETITION

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Northern Indiana Public Service Company ("NIPSCO" or "Petitioner") petitions the Indiana Utility Regulatory Commission ("Commission") for approval of Petitioner's 7-year plan for eligible transmission, distribution and storage system improvements ("7-Year Electric Plan"), pursuant to Ind. Code § 8-1-39-10(a). In accordance with 170 IAC 1-1.1-8 and 1-1.1-9 of the Commission's Rules of Practice and Procedure, Petitioner submits the following information in support of this petition.

Petitioner's Corporate Status

1. Petitioner is a public utility corporation organized and existing under the laws of the State of Indiana with its principal office and place of business at 801 East 86th Avenue, Merrillville, Indiana. Petitioner renders electric and gas public utility service in the State of Indiana and owns, operates,

manages and controls, among other things, plant and equipment within the State of Indiana used for the generation, transmission, distribution and furnishing of such service to the public. Petitioner is a wholly-owned subsidiary of NiSource Inc., an energy holding company whose stock is listed on the New York Stock Exchange.

### **Petitioner's Regulated Status**

2. Petitioner is a "public utility" within the meaning of Ind. Code §§ 8-1-39-4 and 8-1-2-1 and is an "energy utility" within the meaning of Ind. Code § 8-1-2.5-2 and is subject to the jurisdiction of this Commission in the manner and to the extent provided by the Public Service Commission Act, as amended, and other pertinent laws of the State of Indiana.

### **Petitioner's Operations**

3. Petitioner is authorized by the Commission to provide electric utility service to the public in all or part of Benton, Carroll, DeKalb, Elkhart, Fulton, Jasper, Kosciusko, LaGrange, Lake, LaPorte, Marshall, Newton, Noble, Porter, Pulaski, Saint Joseph, Stake, Steuben, Warren and White Counties in northern Indiana. Petitioner provides electric utility service to more than 457,000 residential, commercial, industrial, wholesale and other customers.

### **Relief Sought by Petitioner**

4. In accordance with Ind. Code § 8-1-39-10(a), Petitioner requests Commission approval of its 7-Year Electric Plan. Specifically, Petitioner requests (a) a finding that the projects contained in the 7-Year Electric Plan are "eligible transmission, distribution, and storage system improvements" within the meaning of Ind. Code § 8-1-39-2; (b) a finding of the best estimate of the cost of the eligible improvements included in the Plan; (c) a determination that the public convenience and necessity require or will require the eligible improvements included in the Plan; and (d) a determination that the estimated costs of the eligible improvements included in the Plan are justified by incremental benefits attributable to the Plan. In addition, Petitioner requests approval to use Petitioner's proposed definitions of key terms for purposes of interpreting Ind. Code Ch. 8-1-39. While Ind. Code § 8-1-39-1 states that definitions in Ind. Code § 8-1-2-1 apply, there are several terms that are not defined elsewhere, and therefore, NIPSCO is proposing definitions for the following key terms: Safety; Reliability; System Modernization; Economic Development; Transmission and Distribution; and Under Construction. If the Commission determines that the 7-Year Electric Plan is reasonable, Petitioner requests the Commission to approve the Plan and designate the eligible transmission, distribution and storage system improvements included in the

Plan as eligible for Transmission, Distribution and Storage System Improvement Charge (“TDSIC”) treatment in accordance with Indiana Code Ch. 8-1-39. Finally, Petitioner requests that the Commission approve Petitioner’s proposed process for updating the 7-Year Electric Plan in future TDSIC semi-annual adjustment proceedings.

**Applicable Law**

5. Petitioner considers the provisions of the Public Service Commission Act, as amended, including Ind. Code § 8-1-2-23 and Ind. Code Ch. 8-1-39, among others, to be applicable to the subject matter of this Petition and believes that such statutes provide the Commission authority to approve the requested relief.

**Petitioner’s Counsel**

6. The names and addresses of persons authorized to accept service of papers in this proceeding are:

<p><b>Counsel of Record:</b></p> <p>Erin Casper Borissov (No. 27745-49)          NiSource Corporate Services - Legal          150 West Market Street, Suite 600          Indianapolis, Indiana 46204          Phone: (317) 684-4903          Fax: (317) 684-4918          Email: <a href="mailto:eborissov@nisource.com">eborissov@nisource.com</a></p>	<p><b>With a copy to:</b></p> <p>Frank A. Shambo          Northern Indiana Public Service Company          150 West Market Street, Suite 600          Indianapolis, Indiana 46204          Phone: (317) 684-4905          Fax: (317) 684-4918          Email: <a href="mailto:fshamb@nisource.com">fshamb@nisource.com</a></p>
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**Procedural Schedule**

7. Ind. Code § 8-1-39-10(b) provides that following notice and hearing, and not more than two hundred ten (210) days after the public utility petitions the Commission under Ind. Code § 8-1-39-10(a), the Commission shall issue an order on the petition. Petitioner, with agreement from the Indiana Office of Utility Consumer Counselor, proposes the following procedural schedule:

	Days	Date
NIPSCO files TDSIC 7-Year Electric Plan and Case-in-Chief	1	7/19/2013
IURC Technical Conference	24-28	Week of 8/12/2013
OUCC/Intervenors Prefile	84	10/11/2013
Cross-Answering	94	10/25/2013
NIPSCO Rebuttal	103	10/30/2013
Hearing	116-119	Week of 11/12/2013
NIPSCO Proposed Order	129	11/25/2013
Exceptions	143	12/9/2013
NIPSCO Reply	150	12/16/2013
Final Order	210	2/14/2014

WHEREFORE, Northern Indiana Public Service Company respectfully requests that the Commission promptly publish notice, make such other investigation and hold such hearings as are necessary or advisable and thereafter, make and enter appropriate orders in this Cause:

- (a) Finding that the projects contained in the 7-Year Electric

Plan are "eligible transmission, distribution, and storage system improvements" within the meaning of Ind. Code § 8-1-39-2;

(b) Finding the best estimate of the cost of the eligible improvements included in the 7-Year Electric Plan;

(c) Determining that the public convenience and necessity require or will require the eligible improvements included in the 7-Year Electric Plan;

(d) Determining that the estimated costs of the eligible improvements included in the 7-Year Electric Plan are justified by incremental benefits attributable to the Plan;

(e) Approving the 7-Year Electric Plan as reasonable and designating the eligible transmission, distribution and storage system improvements included in the 7-Year Electric Plan as eligible for Transmission, Distribution and Storage System Improvement Charge ("TDSIC") treatment;

(f) Approving Petitioner's proposed definitions of key terms for purposes of interpreting Ind. Cod Ch. 8-1-39;

(g) Approving inclusion of Petitioner's 7-Year Electric Plan

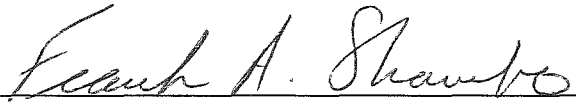
projects in its rate base in its next general rate proceeding pursuant to Ind. Code § 8-1-2-23;

(h) Approving Petitioner's proposed process for updating the 7-Year Electric Plan in future TDSIC semi-annual adjustment proceedings; and

(i) Granting to Petitioner such additional and further relief as may be deemed necessary or appropriate.

Dated this 19th day of July, 2013.

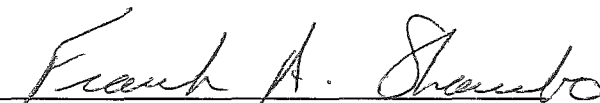
Northern Indiana Public Service Company

  
Frank A. Shambo, Vice President of Regulatory  
and Legislative Affairs

**Verification**

I affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Dated: July 19, 2013.

  
Frank A. Shambo, Vice President of Regulatory  
and Legislative Affairs

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Attorney for Petitioner  
Northern Indiana Public Service Company



## CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was served by email transmission upon the following:


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A courtesy copy has also been provided by email transmission upon the following:

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Dated this 19th day of July, 2013.

  
Erin Casper Borissov