

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

**INDIANA UTILITY
REGULATORY COMMISSION**

PETITION OF NORTHERN INDIANA)
PUBLIC SERVICE COMPANY FOR)
APPROVAL OF MODIFICATIONS TO AND)
AN EXTENSION OF ITS ELECTRIC)
RENEWABLE FEED-IN TARIFF PROVIDING)
FOR THE PURCHASE OF ENERGY FROM)
RENEWABLE ENERGY RESOURCES)
PURSUANT TO IND. CODE CH. 8-1-8.8.)
AND FOR THE CONTINUED RECOVERY)
OF COSTS ASSOCIATED WITH THOSE)
PURCHASES UNDER IND. CODE § 8-1-2-)
42(a) OR SUCCESSOR MECHANISMS IN)
ACCORDANCE AND CONSISTENT WITH)
THE INDIANA UTILITY REGULATORY)
COMMISSION'S ORDER DATED JULY 13,)
2011 IN CAUSE NO. 43922.)

CAUSE NO. 44393

VERIFIED PETITION

Northern Indiana Public Service Company ("NIPSCO" or "Petitioner") petitions the Indiana Utility Regulatory Commission ("Commission") for approval of modifications to and an extension of its electric Experimental Rate 665 – Renewable Feed-In Tariff for purchase of energy from renewable energy resources, and for the continued recovery of costs associated with those purchases, in accordance and consistent with, the Indiana Utility Regulatory Commission's ("Commission") Order dated July 13, 2011 in Cause No. 43922 ("43922 Order"). 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 §8-1-2-1 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 over 457,000 residential, commercial, industrial, wholesale and other customers.

Relief Sought by Petitioner

4. On July 16, 2010 NIPSCO filed a petition in Cause No. 43922 for approval of (1) changes to its General Rules and Regulations applicable to Electric Service, Rule 50 – Net Metering¹ and (2) approval of Experimental Rate 850 – Renewable Feed-In Tariff.² The Commission approved both requests in its 43922 Order. The Renewable Feed-In Tariff is a pilot rate schedule (expiring December 31, 2013) that provides payments to eligible customers for renewable energy generation.

5. In this proceeding, NIPSCO requests Commission approval of (1) modifications to and an extension of its electric Experimental Rate 665 – Renewable Feed-In Tariff for purchase of energy (and capacity, as applicable) from renewable energy resources, (2) authority to continue to recover the cost of purchases of energy from eligible resources through its Section 42(a) tracking mechanism filed together with its quarterly fuel adjustment clause proceedings pursuant to Ind. Code § 8-1-2-42(d) in a manner consistent with NIPSCO’s treatment of its wind purchased power agreements purchases approved by the Commission in Cause No. 43393, or through

¹ The Net Metering Tariff has since been approved in Cause No. 43969 as Rider 680.

² The Experimental Rate 850 has since been approved in Cause No.43969 as Experimental Rate 665.

an appropriate mechanism approved in successor tariff volumes, and (3) authority to continue to recover the costs of purchases of capacity under the Renewable Feed-In Tariff through NIPSCO's Resource Adequacy Tracker or successor mechanism approved by the Commission. .

6. In proposing its Renewable Feed-In Tariff in Cause No. 43922, NIPSCO requested authority to implement it on a pilot basis in order to gather information regarding customer participation, facilities and to measure and observe associated impacts on the system. It was further NIPSCO's intention that any proposed continuation or modification to the tariff, including any proposed termination of the program, would be requested after gathering and analyzing information during the pilot period. To facilitate discussion of this information, which NIPSCO continues to gather and review, NIPSCO requests that the Commission establish a date for a technical conference to be noticed by the Commission in accordance with Ind. Code § 8-1-1-8 for the purpose of communicating with and receiving feedback from the Commission staff, the OUCC, and Intervenors concerning the Renewable Feed-In Tariff program. This discussion will serve to facilitate understanding and establish any basis for modifications to the tariff.

Applicable Law

7. Petitioner considers the provisions of the Public Service Commission

Act, as amended, including Ind. Code Ch. 8-1-8.8 and Ind. Code § 8-1-2-42, to be applicable to the subject matter of this Petition and believes that such traditional statutes provide the Commission authority to approve the requested relief.

Petitioner's Counsel

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

Counsel of Record:

Christopher C. Earle (No. 10809-49)
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With a copy to:

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Request for Prehearing Conference and Preliminary Hearing

9. In accordance with 170 IAC 1-1.1-15(b) of the Commission's Rules of Practice and Procedure, Petitioner requests that the Commission schedule a prehearing conference and preliminary hearing for the purpose of fixing a procedural schedule in this proceeding and considering other procedural matters as soon as possible and that an evidentiary hearing on this matter be set and noticed as required by law.

Request for Technical Conference

10. NIPSCO requests that the Commission establish a date for a technical

conference to be noticed by the Commission in accordance with Ind. Code § 8-1-1-8 for the purpose of communicating with and receiving feedback from the Commission staff, the OUCC, and Intervenors concerning the Renewable Feed-In Tariff program.

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) Approving modifications to and an extension of Petitioner's Experimental Rate 665 – Renewable Feed-In Tariff;

(b) authority to continue to recover the cost of purchases of energy from eligible resources through its Section 42(a) tracking mechanism filed together with its quarterly fuel adjustment clause proceedings pursuant to Ind. Code § 8-1-2-42(d) in a manner consistent with NIPSCO's treatment of its wind purchased power agreements purchases approved by the Commission in Cause No. 43393, or through an appropriate mechanism approved in successor tariff volumes,

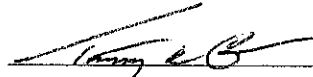
(c) authority to continue to recover the costs of purchases of capacity under the Renewable Feed-In Tariff through NIPSCO's Resource

Adequacy Tracker or successor mechanism approved by the Commission;
and

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

Dated this 11th day of September, 2013.

Northern Indiana Public Service Company

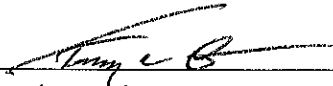


Timothy R. Caister, Director of Regulatory Policy

Verification

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

Dated: September 11, 2013.



Timothy R. Caister, Director of Regulatory Policy

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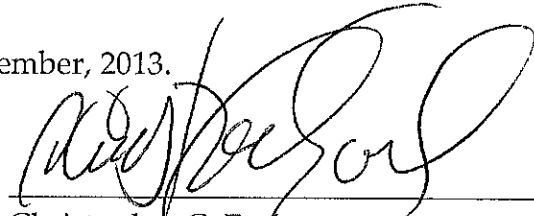
Attorney for Petitioner
Northern Indiana Public Service Company

CERTIFICATE OF SERVICE

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

A. David Stippler
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Dated this 11th day of September, 2013.



Christopher C. Earle