



150 West Market Street, Suite 600
Indianapolis, IN 46204

April 30, 2020

Mary M. Becerra
Secretary to the Commission
Indiana Utility Regulatory Commission
101 West Washington Street
Suite 1500 East
Indianapolis, Indiana 46204

RE: NIPSCO's 30-Day Administrative Filing No. 50325

Dear Ms. Becerra:

Northern Indiana Public Service Company LLC ("NIPSCO") hereby responds to the objections filed by the Indiana Distributed Energy Alliance ("IndianaDG") to NIPSCO's Thirty-Day Administrative Filing (the "Filing") for Rider 878. The Filing has been assigned the tracking number 50325 by the Indiana Utility Regulatory Commission ("Commission"). The Filing was made by NIPSCO pursuant to 170 IAC 4-4.1 *et seq.*

The IndianaDG's Objections Are Not Based on Appropriate Grounds under 170 IAC 1-6-7

Under 170 IAC 1-6-7, the following are the only appropriate grounds for objections to the Filing:

- (A) [The filing] is a violation of:
 - (i) applicable law;
 - (ii) a prior commission order; or
 - (iii) a commission rule.
- (B) Information in the filing is inaccurate.
- (C) The filing is:
 - (i) incomplete; or
 - (ii) prohibited under section 4 of this rule.

The IndianaDG does not object to the Filing on these bases. In fact, the IndianaDG does not provide *any* basis for its objection. Instead, the IndianaDG "points out" one statement made in a filing by the Indiana Office of Utility Consumer Counselor ("OUCC") on April 13, 2020 (which also was not an objection) and then proceeds to state

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that "IndianaDG does not wish to present specific arguments at this time but rather suggest that these four (4) 30-day filings are not PURPA compliant and therefore, necessitates that the IURC set these filings for a docket proceeding." This is not appropriate, as 170 IAC 1-6-7 does not allow an objector to reserve the basis of its objections for some later time; it clearly provides only four grounds on which to object, which must be stated in the filing. As NIPSCO has explained in various filings in this proceeding, its Filing is not in violation of any applicable law, commission order, or commission rule; information in the filing is accurate; and the filing is complete and is not prohibited under section 4 of the rule.

The IndianaDG's Objections Are Not Timely

The IndianaDG's Objections were filed on April 24, 2020. This is more than sixty (60) days after NIPSCO submitted the Filing, on February 24, 2020. While 170 IAC 1-6-7 does not explicitly state that objections must be made within thirty (30) days of a filing, it is only logical that objections should be filed before the date by which the Commission is required to act on a thirty-day filing. This is not changed by the fact that the OUCC has made several untimely objections of its own.

Conclusion

The IndianaDG's objections to NIPSCO's Filing are without merit. The Filing is neither incomplete nor inaccurate, and it is not in violation of applicable law, Commission order, or Commission rule. For the reasons set forth herein, NIPSCO's Filing should be presented to the Commission for consideration and, thereafter, should be approved without modification.

Sincerely,

A handwritten signature in cursive script, appearing to read "Claudia J. Earls", written in black ink on a white background.

Claudia J. Earls