IndianaDG

545 E. Eleventh Street

Indianapolis, IN 46202

April 24, 2020

Jane Steinhauer, Director Energy Division, JSteinhauer@urc.in.gov

Mary M. Becerra, Secretary of the Commission, mbecerra@urc.IN.gov

Indiana Utility Regulatory Commission (IURC)

*Via Email*

**IndianaDG Objections to 30-day Filings Nos. 50325, 50329, 50330 and 50331**

Indiana Distributed Energy Alliance (IndianaDG) wishes to file an objection to the pending 30-day filings with the following tracking numbers:

* 50325 – Northern Indiana Public Service Company (NIPSCO)
* 50329 – Indianapolis Power & Light (IPL)
* 50330 – Indiana Michigan Power (I&M)
* 50331 – Southern Indiana Gas & Electric Company (SIGECO)

We have reviewed both the initial filings by the respective electric utilities as well as the Objection filed by the Office of the Utility Consumer Counselor (OUCC) pertaining to these 30-day filings.

Specifically, the OUCC points out in their letter to the IURC dated April 13, 2020, that:

The filings in question are made pursuant to the requirements of the Public Utilities Regulatory Policies Act (“PURPA”). Congress passed PURPA to encourage fuel diversity via alternative energy sources and to introduce competition into the electric sector.

IndianaDG would like to join the OUCC’s Objection in part to request that the Indiana Utility Regulatory Commission (IURC) set these 30-day filings aside for a full docketed proceeding.

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. At that time, IndianaDG would intend to present specific information to support our position.

**IndianaDG Wishes to Object to Duke Energy 30-day filing No. 50327**

We believe that the IURC acted prematurely in approving the 30-day filing for 50327 for Duke Energy Indiana. Pursuant to 170 IAC 1-6-7 Objections:

  (e) If an objection that complies with this section is not received by the commission at least three (3) business days before the filing is approved, the objection may still be:
         (1) a basis for an investigation by the commission;
         (2) used as part of a complaint that complies with:
               (A) IC 8-1-2-54; or
               (B) IC 8-1-2-34.5(b); and
         (3) considered by the commission in accordance with the commission's procedural rules and evidentiary standards in subsequent related filings by the utility.

Therefore, IndianaDG wishes to also object to 50327 for Duke Energy Indiana and suggest that it be combined with the other four (4) similar 30-day filings referenced above.

**IndianaDG Objection to 30-day filing No. 50332**

Furthermore, IndianaDG understands that an Objection is being made by Solarize Indiana, Inc. to:

* 50332 – Southern Indiana Gas & Electric Company (SIGECO)

IndianaDG would also like to join this Objection to 50332, especially since it also invokes the rates proposed in No. 50331.

**IndianaDG Believes 50331 & 50332 Will Involve Proposed Vectren EDG Tariff**

IndianaDG is aware that the IURC received a presentation by Vectren concerning an impending proposed Excess Distributed Generation (EDG) tariff to replace their current net metering tariff. The issues presented in these three filings may necessitate a consolidated docket to adequately address all the issues.

**IndianaDG Requests Rulemaking to Address All Avoided Cost/PURPA Rates**

IndianaDG believes that the five (5) electric investor owned utilities are not the only entities which should receive review. We believe it is warranted that the IURC conduct a comprehensive review of the current rulemaking in 170 IAC 4-4.1 Cogeneration and Alternate Energy Production Facilities and initiate a rulemaking given the extensive changes in the competitive energy market. Such proceedings have been recently undertaken by other states and hence, are warranted in Indiana – especially inasmuch as the Indiana rules have not been updated since 2001 and both the technology and the markets for cogeneration and alternate energy facilities have changed dramatically in the past 20 years.

Although the IURC has readopted this rule, IndianaDG believes these readoptions have been perfunctory. What is needed is a comprehensive process and procedure the revise the rule.

**Comments from IndianaDG Business Member**

IndianaDG wishes to include the -----comments we have received from IndianaDG business member Jim Straeter with Ag Technologies as follows:

I am the President of Ag Technologies Inc in Rochester, IN.  We have grown our solar business over the past 7 years to a significant level, providing jobs for 25 people when considering manufacturing, sales, installation and service support.

We have dealt with net-meter vs non net-meter over that time.  When net meter ends and Indiana utilities will all be on an ‘Avoided Cost’ rate with net billing the solar business will be limited to what we call “50%” levels of solar.  What that means is we’ll do half of the size system the customer would need to make all of their electricity from solar.  We do that now for IMPA and REMC customers.  Sending energy at 3.5 cents/kwh causes solar to be a negative financial investment and that is because 3.5 cents is below the cost of production, even with solar.

We do business in Illinois and Ohio as well as Indiana.  Ohio and Illinois are non-regulated states and with third part suppliers the cost of transmission is itemized on the bill.  Essentially transmission is the same cost as production – about 3.5 cents each for a total of 7 cents/kwh.  When a behind-the-meter solar customer puts a kwh on the grid it is worth 7 cents because there is essentially zero transmission cost as that kwh goes to a neighbor.  The IURC is negligent in its responsibility to fairly regulate energy with an Avoided Cost rate of 3.5 cents when there is broad evidence that energy in a distributed situation is priced by utilities at double that number.  Until this unfair situation is fixed the citizens of Indiana will be disadvantaged in favor of utilities as REMC and IMPA customers are now.

I would request that in the case of Vectren and other utilities the IURC set a fair Avoided Cost rate in the 7 cent level with daytime rates being higher than night time.

Sincerely,

Laura Ann Arnold

Laura Ann Arnold, President

Indiana Distributed Energy Alliance (IndianaDG)

Cc:

William Fine, OUCC, [wfine@oucc.in.gov](wfine%40oucc.in.gov)

Lorraine Hitz-Bradley, OUCC, **LHitzBradley@oucc.in.gov**

**infomgt@oucc.in.gov**

J. Cas Swiz, Vectren, [Cas.Swiz@centerpointenergy.com](Cas.Swiz%40centerpointenergy.com)

Justin Hage, Vectren, Justin.Hage@centerpointenergy.com

Claudia Earls, NIPSCO, cjearls@nisource.com

Erin Whitehead, NIPSCO, ewhitehead@nisource.com

Jim Cutshaw, IPL, [Jim.Cutshaw@aes.com](Jim.Cutshaw%40aes.com)

Jeff Peabody, Jeffrey.Peabody@btlaw.com

Kurt Cooper, I&M, kccooper@aep.com