

PROPOSED AMENDMENT

HB 1002 # 28

DIGEST

Electric utility affordability. Makes conforming amendments to provisions of the Indiana Code that reference the statute granting authority to the Indiana utility regulatory commission (IURC) to take certain actions during an emergency, so as to recognize the changes to that statute made in the bill. Excludes municipally owned utilities from the bill's provisions concerning: (1) levelized billing plans; (2) electric service termination prohibitions; (3) quarterly residential customer reports; and (4) low income customer assistance programs. Specifies that the bill's provisions concerning levelized billing plans do not apply to residential customers who have agreed to pay for utility service under an alternative billing tariff approved by the IURC. For purposes of the bill's provisions prohibiting electric service terminations for certain income eligible customers on any day with a forecasted heat index of at least 95 degrees, provides that the prohibition applies if the National Weather Service has made the forecast for a county or part of a county (rather than a region) in an electric utility's assigned service area. Specifies that if: (1) an electric utility has provided a disconnection notice to an income eligible customer before the forecast is made; and (2) the 14 day period during which the electric utility is prohibited from terminating the customer's service would have elapsed on the date of the forecasted heat index; the 14 day period is tolled until the first day that follows the day for which the forecast was made and during which the forecasted heat index is not reached. Removes certain information that must be included in the quarterly residential customer reports that electricity suppliers are required to provide to the office of utility consumer counselor under the bill. Provides that an electricity supplier may file its first petition with the IURC for approval of a multi-year rate plan (MYRP) before the time frame that would otherwise apply to the electricity supplier under the bill's provisions if the petition: (1) requests approval of a reduction in the electricity supplier's overall revenue requirement for the first rate year of the MYRP; (2) meets all requirements for an MYRP under the bill; and (3) is filed with the IURC not later than September 1, 2026. For purposes of the provisions concerning the determination of an electricity supplier's base rates for the second and third rate years of the electricity supplier's MYRP, defines "net plant in service" as both utility plant in service and accumulated depreciation. Provides that an electricity supplier's petition for approval of an MYRP may include alternative regulatory practices, procedures, accounting treatments, and mechanisms that are consistent with the bill's provisions. Makes technical changes.

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 4-22-2.3-7, AS ADDED BY P.L.249-2023,
4 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 7. The Indiana utility regulatory commission
6 may adopt interim rules under the interim rule procedures in
7 IC 4-22-2-37.2 pursuant to its authority under IC 8-1-1-3(g). ~~or~~
8 ~~IC 8-1-2-113.~~ A rule described in this section expires not later than two
9 (2) years after the rule is accepted for filing by the publisher of the

1 Indiana Register and may not be continued in another interim rule.".

2 Page 2, line 5, after "tariff." insert "**The term does not include a**
3 **residential customer who has agreed to pay for utility service from**
4 **an electricity supplier under an alternative billing tariff approved**
5 **by the commission.**".

6 Page 2, line 7, delete "however organized," and insert "**other than**
7 **a municipally owned utility (as defined in IC 8-1-2-1(h)),**".

8 Page 7, line 40, delete "municipally owned, privately owned," and
9 insert "**privately owned**".

10 Page 8, line 14, delete "region" and insert "**part of a county**".

11 Page 8, line 36, delete "has not elapsed on the date the forecast" and
12 insert "**would have elapsed on the forecasted date for the heat index**
13 **to reach the level described in subsection (c)(2);**".

14 Page 8, delete line 37.

15 Page 8, delete lines 39 through 41.

16 Page 8, line 42, delete "p.m. on" and insert "**until**".

17 Page 9, between lines 40 and 41, begin a new paragraph and insert:
18 "SECTION 6. IC 8-1-2.6-2, AS AMENDED BY P.L.107-2014,
19 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 UPON PASSAGE]: Sec. 2. (a) This section applies to rules and orders
21 that:

22 (1) concern telecommunications service or providers of
23 telecommunications service; and

24 (2) may be adopted or issued by the commission under the
25 authority of state or federal law.

26 (b) Rules and orders described in this section:

27 (1) may be adopted or issued only after notice and hearing,
28 unless:

29 (A) the commission ~~determines acts~~ in accordance with
30 IC 8-1-2-113 ~~that an~~ **during a disaster** emergency ~~exists that~~
31 **is declared by the governor and** that requires the commission
32 or a provider to take immediate action to:

33 (i) prevent injury to the business or interests of the citizens
34 of Indiana; or

35 (ii) maintain a provider's financial integrity and ability to
36 provide adequate basic telecommunications service;

37 (B) the commission is authorized under IC 8-1-2 to adopt a
38 particular rule or issue a particular order without the necessity
39 of a hearing; or

40 (C) after receiving notice of the commission's proposed action,

1 all parties to a proceeding consent to the commission taking
2 action without a hearing; and

3 (2) must be:

4 (A) consistent with this chapter; and

5 (B) in the public interest, as determined by the commission
6 under subsection (d).

7 (c) Rules and orders described in this section must promote one (1)
8 or more of the following:

9 (1) Cost minimization for providers to the extent that a provider's
10 quality of service and facilities are not diminished.

11 (2) A more accurate evaluation by the commission of a provider's
12 physical or financial conditions or needs as well as a less costly
13 regulatory procedure for either the provider, the provider's
14 customers, or the commission.

15 (3) Consumer access to affordable basic telecommunications
16 service.

17 (4) Development of depreciation guidelines and procedures that
18 recognize technological obsolescence.

19 (5) Increased provider management efficiency beneficial to
20 customers.

21 (6) Regulation consistent with a competitive environment.

22 (d) In determining whether the public interest will be served, as
23 required under subsection (b), the commission shall consider:

24 (1) whether technological change, competitive forces, or
25 regulation by other state and federal regulatory bodies render the
26 exercise of jurisdiction by the commission unnecessary or
27 wasteful;

28 (2) whether the exercise of commission jurisdiction produces
29 tangible benefits to the customers of providers; and

30 (3) whether the exercise of commission jurisdiction inhibits a
31 regulated entity from competing with unregulated providers of
32 functionally similar telecommunications services or equipment.".

33 Page 10, line 10, delete "however organized," and insert "**other**
34 **than a municipally owned utility (as defined in IC 8-1-2-1(h)),**".

35 Page 10, line 29, delete "that:" and insert "**that is for utility service**
36 **that is provided to a customer who is eligible for and has applied**
37 **for assistance from a home energy assistance program**
38 **administered under IC 4-4-33.**".

39 Page 10, delete lines 30 through 37.

40 Page 11, delete lines 12 through 19.

1 Page 11, line 20, delete "(5)" and insert "(2)".
2 Page 11, line 23, delete "(6)" and insert "(3)".
3 Page 11, delete lines 25 through 29.
4 Page 11, line 30, delete "(9)" and insert "(4)".
5 Page 11, line 31, delete "ninety (90)" and insert "sixty (60)".
6 Page 11, line 32, delete "(10)" and insert "(5)".
7 Page 11, line 33, delete "(9)." and insert "(4)." .
8 Page 11, delete lines 34 through 35.
9 Page 11, line 36, delete "(12)" and insert "(6)".
10 Page 11, line 36, delete "new".
11 Page 11, line 39, delete "(13)" and insert "(7)".
12 Page 11, line 39, delete "new".
13 Page 11, line 41, delete "(14)" and insert "(8)".
14 Page 12, line 1, delete "(15)" and insert "(9)".
15 Page 12, delete lines 3 through 8.
16 Page 12, line 9, delete "(19)" and insert "(10)".
17 Page 12, line 9, delete "identified" and insert "**written off as**
18 **uncollectible.**".
19 Page 12, delete lines 10 through 20.
20 Page 12, between lines 38 and 39, begin a new paragraph and insert:
21 "SECTION 8. IC 8-1-32.4-15, AS AMENDED BY P.L.8-2012,
22 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 UPON PASSAGE]: Sec. 15. (a) The commission may ~~declare act~~ in
24 accordance with IC 8-1-2-113 ~~that an~~ **during a disaster** emergency
25 **exists in that is declared by the governor and that includes** an area
26 in Indiana that is not served by any communications service provider
27 offering voice service through any technology or medium. If the
28 commission ~~declares an~~ **acts in accordance with IC 8-1-2-113 during**
29 **a declared disaster** emergency, ~~under this section~~, the commission
30 may issue any order necessary to protect the health, safety, and welfare
31 of affected residents or businesses and may expedite the availability of
32 voice service to the affected residents or businesses.
33 (b) If the commission authorizes a communications service provider
34 to offer voice service under this section, the commission shall permit
35 the communications service provider to offer the voice service through
36 any available technology or medium determined by the
37 communications service provider.". .
38 Page 15, line 20, delete "1336." and insert "**1366.**".
39 Page 15, line 33, delete "1336"" and insert "**1366""**.

1 Page 15, line 34, delete "1336," and insert "**1366**".
2 Page 15, line 40, delete "1336, the version of IEEE 1336" and insert
3 **"1366, the version of IEEE 1366".**
4 Page 16, line 7, delete "1336." and insert "**1366**".
5 Page 18, line 5, delete "1336." and insert "**1366**".
6 Page 18, line 16, delete "1336." and insert "**1366**".
7 Page 19, line 21, delete "subsection (b)," and insert "**subsections (b)**
8 **and (c)**."
9 Page 20, between lines 16 and 17, begin a new paragraph and insert:
10 **"(b) An electricity supplier may file its first petition with the**
11 **commission for approval of a multi-year rate plan under this**
12 **chapter before the beginning of the time frame that would**
13 **otherwise apply to the electricity supplier under subsection (a) if**
14 **the petition:**
15 **(1) requests approval of a reduction in the electricity**
16 **supplier's overall revenue requirement for the first rate year**
17 **of the multi-year rate plan;**
18 **(2) meets all requirements for a multi-year rate plan under**
19 **this chapter; and**
20 **(3) is filed with the commission not later than September 1,**
21 **2026.**".
22 Page 20, line 17, delete "(b)" and insert "(c)".
23 Page 20, line 18, delete "under IC 8-1-2-113".
24 Page 20, line 28, delete "(c)" and insert "(d)".
25 Page 21, between lines 30 and 31, begin a new line block indented
26 and insert:
27 **"As used in this subdivision, "net plant in service" refers to**
28 **both utility plant in service and accumulated depreciation."**.
29 Page 22, between lines 27 and 28, begin a new paragraph and insert:
30 **"(b) An electricity supplier's petition for approval of a**
31 **multi-year rate plan under this chapter may include alternative**
32 **regulatory practices, procedures, accounting treatments, and**
33 **mechanisms that are consistent with this chapter."**.
34 Page 22, line 28, delete "(b)" and insert "(c)".
35 Page 22, line 39, delete "(c)" and insert "(d)".
36 Page 27, line 11, delete "however organized," and insert "**other**
37 **than a municipally owned utility (as defined in IC 8-1-2-1(h)),**".
38 Page 28, line 34, delete "(6)(1)" and insert "**6(1)**".
39 Page 28, line 38, delete "(6)(1)" and insert "**6(1)**".
40 Page 28, line 39, after "at" insert "**the**".

- 1 Page 30, line 14, after "petition" insert "**with**".
- 2 Page 31, line 13, after "(d)," insert "**if**".
- 3 Page 31, line 36, delete "for recovery".
- 4 Renumber all SECTIONS consecutively.
(Reference is to HB 1002 as reprinted January 28, 2026.)