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NISOURCE INC.  
TRANSMISSION PROVIDER'S  
WRITTEN PROCEDURES IMPLEMENTING  
THE FERC STANDARDS OF CONDUCT  
Pursuant to 18 CFR Section 358.7(d)

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January 1, 2026

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## **I. STATEMENT OF POLICY AND CONTACT INFORMATION**

It is the policy of the NiSource Transmission Provider, subsequently defined in Section II, to fully comply with the Federal Energy Regulatory Commission's ("FERC") Standards of Conduct for Transmission Providers, contained in the Code of Federal Regulations (*See* 18 C.F.R. § 358 – Standards of Conduct online at eCFR.gov).

In furtherance of this policy, the NiSource Transmission Provider has prepared these written procedures for implementing the Standards of Conduct. These written procedures identify the NiSource Transmission Provider and its affiliates that employ marketing function employees and describe how the NiSource Transmission Provider will comply with the various requirements set forth in the Standards of Conduct.

The NiSource Transmission Provider has distributed these written procedures to all transmission function employees, marketing function employees, officers, directors, supervisory employees, and any other employees and contractors likely to become privy to transmission function information, as required under § 358.8(b)(2).<sup>1</sup> These written procedures are posted on the Internet Web site of the NiSource Transmission Provider, as required under § 358.7(d).

The NiSource Transmission Provider has appointed Kimberly S. Cuccia, Executive Vice President, General Counsel & Corporate Secretary, as its Chief FERC Compliance Officer, as required under § 358.8(c)(2). Included among the Chief FERC Compliance Officer's responsibilities are: 1) ensuring that the Standards of Conduct are distributed to employees and contractors subject to the Standards of Conduct; 2) ensuring that employees and contractors receive appropriate training on compliance with the Standards of Conduct; 3) ensuring, as part of the training program, that appropriate documentation is retained to demonstrate that the NiSource Transmission Provider is in compliance with the Standards of Conduct; and 4) ensuring that Internet Web site postings required by the Standards of Conduct are implemented on a timely basis.

If any NiSource employee, customer, or potential customer has questions concerning these written procedures or the Standards of Conduct or wishes to report any departure from or non-compliance with these written procedures or the Standards of Conduct, they should contact either the Chief FERC Compliance Officer, Legal Federal Regulatory or FERC Compliance.

Chief FERC Compliance Officer

Kimberly S. Cuccia

Executive Vice President, General Counsel and Corporate Secretary

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<sup>1</sup> All regulation section references herein are to Title 18 of the Code of Federal Regulations (C.F.R.).

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## **II. GENERAL TERMS**

To effectively implement the Standards of Conduct, it is necessary to understand applicable terms. Certain terms used in these written procedures have the meanings defined below, which are intended to be consistent with § 358.3 of the Regulations, additional terms can be found in § 358.3.

**FERC or Commission:** means the Federal Energy Regulatory Commission.

### **Marketing Function:**

**For Electric:** means the sales for resale, or offers to sell, in interstate commerce, of electric energy or capacity, demand response, virtual transactions, or financial or physical transmission rights, subject to an exclusion for bundled retail sales, including sales of electric energy made by providers of last resort (POLRs) acting in their POLR capacity.

**Marketing Function Employee (MFE):** means an **employee, contractor, consultant, or agent** of a transmission provider or of an affiliate of a transmission provider who actively and personally engages on a day-to-day basis in marketing functions.

**Transmission Function:** means the planning, directing, organizing, or carrying out of day-to-day transmission operations, including the granting, and denying of transmission service requests.

**Transmission Function Employee (TFE):** means an **employee, contractor, consultant, or agent** of a transmission provider who actively and personally engages on a day-to-day basis in transmission functions.

**Transmission Function Information (TFI):** means information relating to transmission functions.

### **III. IDENTIFICATION OF TRANSMISSION PROVIDER AND AFFILIATES THAT EMPLOY MARKETING FUNCTION EMPLOYEES**

The NiSource Transmission Provider will promptly update the list of affiliates that employ or retain marketing function employees if new entities are acquired or created, or if the activities of existing entities change to either bring the marketing function employees within or cause them to fall outside of the scope of the Standards of Conduct. To ensure that this occurs, the NiSource Corporate Secretary's Office will notify the FERC Compliance Manager with respect to the acquisition, creation, disposition, or dissolution of any NiSource company or interest.

#### **A. NiSource Transmission Provider<sup>2</sup>**

<b><u>Company</u></b>	<b><u>Business</u></b>
<b>Northern Indiana Public Service Company LLC ("NIPSCO")</b>	Electric Utility

NIPSCO assigned functional control over NIPSCO-owned transmission facilities to the Midcontinent Independent System Operator, Inc. (MISO), which serves as the Transmission Service Provider for NIPSCO's system. NIPSCO continues to perform certain day-to-day transmission operations coordinated with, and sometimes under the direction of MISO, but does not grant or deny transmission service requests.

#### **B. Affiliates that Employ Marketing Function Employees**

The NiSource Affiliates that employ marketing function employees are:

<b>Department</b>	<b>Business</b>	<b>Reason(s)</b>
Energy Supply and Optimization	Division of Northern Indiana Public Service Company LLC	Engaged in the sale for resale in interstate commerce, or the submission of offers to sell in interstate commerce, of electric energy or capacity, demand response, virtual transactions, or financial or physical transmission rights.

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<sup>2</sup> Prior to the abandonment by sale of Central Kentucky Transmission Company (CKT) in 2020, this procedure also applied to natural gas. However, CKT's abandonment via sale of its 25 percent undivided interest in the KA-1 North Facilities and associated capacity was approved by FERC under section 7(b) of the Natural Gas Act. *See Central Kentucky Transmission Co.*, 172 FERC ¶ 62,174 (2020). This abandonment was effective on December 11, 2020. In the event that NiSource acquires an interest in a natural gas pipeline subject to the Natural Gas Act in the future, this procedure will be updated accordingly.

#### **IV. NON-DISCRIMINATION REQUIREMENTS**

The NiSource Transmission Provider must strictly enforce tariff provisions relating to the sale or purchase of open access transmission service. If the applicable open access transmission tariff provision permits the use of discretion, such discretion must be exercised in a fair and impartial manner that does not treat transmission customers in a discriminatory manner (*See* §§ 358.4(a) and (b)). The NiSource Transmission Provider may not give any undue preference to any individual or entity with respect to the sale or purchase of transmission service, through tariff provisions or otherwise. This includes, but is not limited to, issues of price, curtailments, scheduling, priority, ancillary services, or balancing (*See* § 358.4(c)).<sup>3</sup>

The NiSource Transmission Provider must post on its Internet Web site notice of each waiver of an open access transmission tariff provision that it grants in favor of an affiliate, unless such waiver has been approved by the FERC.<sup>4</sup> The posting must be made within one (1) business day of the act of a waiver. The NiSource Transmission Provider must also maintain a log of the acts of waiver and must make it available to the FERC upon request. The records must be kept for a period of five (5) years from the date of each act of waiver, as required under § 358.7(i).

#### **V. INDEPENDENT FUNCTIONING RULE**

Section 358.5 of the FERC's regulations set forth the Independent Functioning Rule that is applicable to the transmission function employees and the marketing function employees of Transmission Providers and their affiliates. This section requires that a Transmission Provider's transmission function employees must function independently of its marketing function employees (*See* § 358.5(b)).

In compliance with § 358.5, NiSource Transmission Provider employees have been trained and instructed that marketing function employees may not conduct transmission functions and may not have access to the system control center or similar facilities used for transmission operations that differs in any way from the access available to other transmission customers. In addition, transmission function employees have been trained and instructed that they are not permitted to conduct marketing functions.

Consistent with these regulations, the NiSource Transmission Provider's transmission function employees will function independently of its marketing function employees. As discussed below in Section VII., the NiSource Transmission Provider's transmission function employees and marketing function employees may exchange certain non-public transmission function information in certain emergency circumstances affecting system reliability, subject to the

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<sup>3</sup> As noted above, NIPSCO does not process transmission service requests. Transmission service requests for the NIPSCO transmission system are processed by MISO pursuant to the MISO open access transmission tariff.

<sup>4</sup> NIPSCO cannot grant waivers to the MISO open access transmission tariff.

Commission's recording and posting requirements (*See* § 358.7(h)).

## **VI. NO CONDUIT RULE**

In compliance with § 358.6(a), NiSource employees, contractors, consultants, and agents who are likely to become privy to transmission function information are trained and instructed that they are prohibited from using anyone as a conduit for the disclosure of non-public transmission function information to its marketing function employees. The NiSource Transmission Provider and its affiliated employees, contractors, consultants, and agents are prohibited from disclosing or using anyone as a conduit for disclosure of non-public, operational information received pursuant to §§ 38.2 and § 284.12(b)(4) to a third party or to the NiSource Transmission Provider's marketing function employees. However, the FERC allows for the exchange of non-public, operational information between public utilities and pipelines or other public utilities for the purpose of promoting reliable service or operational planning (*See* §§ 38.2 and 284.12(b)(4)).

## **VII. TRANSPARENCY RULE**

### **A. Contemporaneous Disclosure.**

If the NiSource Transmission Provider discloses non-public transmission function information, it must immediately post the information that was disclosed on its Internet Website (*See* § 358.7(a)). Excluded from this requirement is information specified under §§ 358.7(b) and (h), detailed in paragraphs B and E below.

If the NiSource Transmission Provider discloses: 1) non-public transmission customer information, 2) critical energy infrastructure information (CEII) as defined in § 388.113(c)(1), or 3) any other information that the FERC by law has determined is to be subject to limited dissemination, the NiSource Transmission Provider must immediately provide notice through its Website that the information was disclosed (*See* § 358.7(b)). **Note that information subject to limited dissemination should not itself be posted.**

### **B. Exclusion of Specific Transaction Information.**

As permitted by the Standards of Conduct, the NiSource Transmission Provider's transmission function employees may have non-public communications with its marketing function employees, with respect to the affiliate's "specific request for transmission service" (*See* § 358.7(b)).<sup>5</sup> Accordingly, the NiSource Transmission Provider is not required to contemporaneously disclose information related to any such communications.

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<sup>5</sup> Note: Since MISO processes all transmission service and other requests associated with NIPSCO transmission facilities under the MISO open access transmission tariff, this exclusion would not generally apply to communications between NIPSCO marketing function and transmission function employees.

### C. Voluntary Consent.

If a non-affiliated transmission customer voluntarily consents in writing, a NiSource Transmission Provider may share the customer's information with its marketing function employees, as permitted under § 358.7(c). In such cases, the NiSource Transmission Provider must post a notice on its Internet Website that consent was received to share the information and a statement that the NiSource Transmission Provider did not provide any operational or rate-related preferences in exchange for that voluntary consent. **Note that the specific customer information should not itself be posted.**

### D. Posting Requirements.

The NiSource Transmission Provider has listed on its public Internet Website: a) current written procedures implementing the Standards of Conduct (*See* § 358.7(d)); b) the names and addresses of its affiliates that employ or retain marketing function employees (*See* § 358.7(e)(1)); c) the employee-staffed facilities that are shared by transmission function employees and marketing function employees, including the type of facility shared and its address (*See* § 358.7(e)(2)); and d) the job titles and job descriptions of its transmission function employees (*See* § 358.7(f)(1)). In addition, the NiSource Transmission Provider has trained personnel to update the applicable Websites within seven (7) days of any changes in the information described above, as required under § 358.7(g)(1).

The NiSource Corporate Secretary's Office will notify the FERC Compliance Manager about the formation of any new affiliates for the purposes of determining whether a new affiliate employs marketing function employees. The NiSource Corporate Secretary's Office will also provide notification of the dissolution of any affiliates so that these affiliates can be removed from the NiSource Transmission Provider's Internet Website, if necessary. The NiSource Transmission Provider also will post information concerning any potential merger partners within seven (7) days after the merger is announced, as required under § 358.7(e)(3).

To comply with § 358.7(f)(2), the NiSource Human Resources Department will, on a weekly basis, automatically generate a report identifying employee transfers to or from marketing function positions and transmission function positions within NiSource. The report will identify the name of the transferring employee, the respective titles held before and after the transfer, companies transferred to and from, and the effective date of the transfer. The weekly report will be posted on the NiSource Transmission Provider's Internet Web site. Transfer information will remain active on the website for ninety (90) days. In addition, a FERC Compliance Manager, or designee, will review the report to determine whether a transferred employee's access to any NiSource company database or computer system needs to be terminated. If such action is necessary, the FERC Compliance Manager will contact the employee's supervisor or application access owner to terminate access.

If an emergency occurs, such as an earthquake, flood, fire, or hurricane, that severely disrupts the Transmission Provider's normal business operations, the posting requirements under § 358.7 may be suspended by the NiSource Transmission Provider. If the disruption lasts longer than a month, the FERC must be notified, as required under § 358.7(g)(2).



#### **E. Exclusion for and Recording of Certain Information Exchanges.**

Marketing function employees may be provided certain non-public transmission function information under the exclusions set forth in § 358.7(h)(2), if the non-public transmission function information provided is:

- Information pertaining to compliance with Reliability Standards approved by the FERC, or
- Information necessary to maintain or restore operation of the transmission system or generating units, or that may affect the dispatch of generating units.

A contemporaneous record of any exchange of information under the above exclusions must be made and retained by the NiSource Transmission Provider, except in emergency circumstances, when a record of the exchange must be made as soon as practicable after the fact. If any NiSource employee is involved in, or becomes aware of, the provision of non-public transmission information to a marketing function employee, the employee must immediately contact their supervisor or a member of the FERC Compliance Department to ensure a disclosure form is completed (*See* Section IX). If completed by the employee and manager, the form and relevant records will be provided to FERC Compliance. Records of any exchange of information under the above exclusion may include hand-written or typed notes, electronic records such as e-mails and text messages, and recorded telephone calls, to the extent applicable. Information related to the exchange must be retained for a period of five (5) years and must be made available to the FERC upon request.

### **VIII. IMPLEMENTATION REQUIREMENTS**

#### **A. Effective Date.**

The NiSource Transmission Provider must be in full compliance with the Standards of Conduct on the date it commences transmission transactions with an affiliate that engages in marketing functions, as required under § 358.8(a).

#### **B. Training.**

A training program has been developed to train identified employees and contractors on the Standards of Conduct (*See* § 358.8(c)(1)). As permitted by the FERC's regulations, NiSource's training program is conducted electronically, and is deployed to the affected employees and contractors on an annual basis, and to new employees within the first thirty (30) days of their employment. The electronic training program requires the participant to certify that he or she has completed the training. The Learning Management System and the FERC Compliance Manager, or designee, will keep a record of trained employees and contractors, and will provide training to transferred employees in the identified groups who are subject to Standards of Conduct training. In the case that training materials are provided in either a live or paper format, a record of the training completion will be documented.

**C. Chief FERC Compliance Officer.**

*See* Section I of this document.

**D. Books and Records.**

NiSource maintains separate books and records for the NiSource Transmission Provider and its affiliates that employ or retain marketing function employees, except that one set of books and records are maintained for NIPSCO. Records are maintained in accordance with § 358.8(d) and are available for FERC inspection.

## IX. STANDARDS OF CONDUCT DISCLOSURE REPORT FORM

### **Documentation of Permissible Exchanges of Non-Public Transmission Function Information**

Pursuant to 18 C.F.R. Section 358.7(h), this form is used to document a permissible exchange of non-public transmission function information with a NiSource Marketing Function Employee (MFE).

Check one: This disclosure is of:

- ☐ Information relating to compliance with Reliability Standards approved by the FERC.
- ☐ Information necessary to maintain or restore operation of the electric transmission system or generating units, or that may affect the dispatch of the generating units.

#### Information about the Exchange Being Reported

(a) Person making this report:

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<i>Name</i>	<i>Department</i>
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(b) Other employees present:

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<i>Name</i>	<i>Department</i>
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(c) Date of Event: \_\_\_\_\_

(d) Time of Event: \_\_\_\_\_

(e) Brief description of the non-public transmission function information disclosed, including the name of the employee who provided such information to the marketing function employee: \_\_\_\_\_

(f) Describe and attach all records of the information exchange (memos, handwritten or typed notes, emails, text messages, etc.). If documentation is a recorded telephone exchange, please indicate who is responsible for maintaining the recorded voice line records, if known.

(g) Email this completed form and all attached documentation in Portable Document Format (PDF) form to [NiSourceCompliance@nisource.com](mailto:NiSourceCompliance@nisource.com) or to FERC Compliance directly.

## **X. POLICIES AND PROCEDURES**

NiSource creates and updates additional and more detailed Policies and Procedures to comply with the Standards of Conduct. They are maintained and supplemented as necessary by FERC Compliance on the Legal Federal Regulatory SharePoint site (located at the following link):

<https://nisource.sharepoint.com/mcas.ms/sites/Mysource/Legal%20Federal%20Regulatory/SitePages/Home.aspx>

These procedures should be reviewed along with the Written Procedures:

- A. Documenting Disclosures of Non-Public Transmission Function Information
- B. Documentation of Permissible Exchanges of Non-Public Transmission Function Information

## **XI. REVISION HISTORY**

Version	Effective Date	Created/Revised By	Approved By	Description
1.0	08/01/2017	Gordon Scott	Patricia Gyure	Versioning added to procedure
2.0	09/01/2018	Gordon Scott	Patricia Gyure	Added Director Corporate Compliance to Section 1; Revised email addresses
3.0	08/21/2020	Gordon Scott	Patricia Gyure	Added non-material revisions Revised Disclosure Report Form
4.0	10/02/2020	Caryn Piper	Patricia Gyure	Changed Chief FERC Compliance Officer and removed FERC Compliance Manager
5.0	5/1/2021	Caryn Piper Bryan Likins	Patricia Gyure	Changed to remove references to CKT due to sale of CKT, and for other minor revisions.
6.0	12/10/2021	Caryn Piper Bryan Little	Patricia Gyure	Changed Chief FERC Compliance Officer
7.0	4/6/2022	Caryn Piper	Bryan Little	Updated Kim Cuccia's title and replaced Pat Gyure with Bryan Little
8.0	6/2/2023	Caryn Piper	Bryan Little	Removed all references to natural gas and included a statement in footnote 1 that this procedure will be updated if NiSource acquires an interstate pipeline.

Version	Effective Date	Created/Revised By	Approved By	Description
9.0	9/1/2024	Caryn Piper Valerie Green (DayPitney)	Bryan Little	Reviewed; minor immaterial updates made.
10.0	3/1/2025	Caryn Piper	Bryan Little	Updated title for Kimberly S. Cuccia and phone number for Bryan Little.
10.1	1/1/2026	Caryn Piper	Bryan Little	Reviewed; one minor grammatical update made.