



Indiana Office of Utility Consumer Counselor

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E.com Technologies, LLC Investigation: IURC Cause No. 43677

PUBLIC FIELD HEARING – BASIC FACTS

An Indiana Utility Regulatory Commission (IURC) public field hearing is a formal, legal proceeding.

- It is presided over by an Administrative Law Judge and recorded by a court reporter, with at least one Commissioner present.

The sole purpose of the field hearing is to accept sworn testimony from consumers under oath.

- Field hearings do not include presentations by utilities.
- IURC Commissioners are not allowed to answer questions, as they will ultimately weigh the evidence and render a final decision.
- IURC and OUCC staff are available to answer procedural questions on an individual basis.

Consumers may make sworn written or oral comments on the pending case.

- Consumer comments are given equal consideration whether they are written or oral.

Attorneys for the case's formal parties – including the OUCC, utilities and any interveners – may participate.

- As this is a legal proceeding, the attorneys are entitled, but not required, to ask questions following your testimony.

No final decision in the case will be made tonight.

- Final orders are issued at the Commission's weekly Conferences as described in this fact sheet.

CASE OVERVIEW

The **Indiana Utility Regulatory Commission (IURC)** issued an order initiating Cause No. 43677 on May 13, 2009. Cause No. 43677 is an investigation of “E.Com Technologies, LLC, doing business as FirstMile, and its compliance with the orders and rules of (the) Commission, and the laws and regulations of the State of Indiana.”

- The IURC determines the scope of this and other investigations it conducts.
- The IURC has designated E.Com Technologies, AT&T Indiana and Verizon as respondents in this proceeding.

On May 29, the IURC issued a docket entry ordering the respondents in this case to answer specific questions. E.Com Technologies, AT&T Indiana and Verizon filed responses on July 9 & 10.

A second IURC docket entry with additional questions for E.Com Technologies was issued on July 28. E.Com Technologies responded on August 7.

A public field hearing is being held on October 20 in Westfield, to accept sworn consumer comments.

Additional written consumer comments can be submitted to the **Indiana Office of Utility Consumer Counselor (OUCC)** prior to November 3, at which time the OUCC will file those comments as evidence before the IURC.

The case’s respondents have until November 13 to respond to any additional comments received.

A technical evidentiary hearing in this case is scheduled for December 7, 2009. While technical evidentiary hearings are open to the public, participation is typically limited to attorney and Commission questioning of the case’s formal parties.

IURC final orders are issued at the Commission’s weekly Conferences. Conferences are typically held on Wednesday afternoons, with agendas posted 48 hours in advance at: www.in.gov/iurc/2428.htm.

A settlement agreement is possible in any legal proceeding. All hearing and filing dates in any legal proceeding are subject to change.

All publicly filed documents in this case are available for review on the IURC Website by:

- Visiting www.in.gov/iurc
- Clicking the “Electronic Document System” link in the upper right portion of the page
- Clicking the “Search Cases” link near the upper left corner of the following page
- Entering docket number 43677 in the first field on the search page

GENERAL AGENCY INFORMATION

Indiana Office of Utility Consumer Counselor (OUCC)

- State agency
- Represents the interests of all Indiana utility consumers – including residential, commercial and industrial customer interests – in cases before the IURC and federal utility regulatory commissions
- Staff of attorneys, accountants, engineers, economists, consumer services and support personnel

Indiana Utility Regulatory Commission (IURC)

- State agency
- Regulates many, but not all, Indiana utilities that provide electric, natural gas, water and sewer services
- Very limited jurisdiction with regard to telecommunications service providers, under Indiana law
- Authority to investigate utility rates and practices
- Neutral, fact-finding body
- Required by law to make decisions that balance the interests of utilities and consumers