



Indiana Office of Utility Consumer Counselor

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PUBLIC FIELD HEARING – BASIC FACTS

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

- An Administrative Law Judge presides with at least one Commissioner present. A court reporter records testimony.

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

- Commissioners are not allowed to answer questions, as they will weigh the evidence and render a decision.
- OUCC and IURC staff can answer procedural questions on an individual basis.

Consumers may make sworn oral or written comments for the record.

- Written and sworn oral comments receive equal consideration.

No final decision will be made tonight.

CASE OVERVIEW

Two issues are before the **Indiana Utility Regulatory Commission (IURC)** in Cause No. 44519:

- Whether the **Town of Huntertown's** local ordinances extending utility service outside its corporate boundaries should be approved.
- Whether the **City of Fort Wayne's** wholesale rates and charges to Huntertown are just and reasonable.

In 2013, the Huntertown Town Council approved ordinances stating that the town has exclusive authority to provide water and wastewater utility services to unincorporated areas within four miles of its town limits that are within Allen County and to the west of Coldwater Road. In this case, Huntertown is asking the IURC to find that its ordinances are enforceable under state law.

Huntertown is also asking the IURC to review the City of Fort Wayne's wholesale sewer treatment rates. Fort Wayne started treating Huntertown's sewage in 1988 under an agreement between the two municipalities. Although the agreement was terminated in April 2013, Fort Wayne continues to treat Huntertown's sewage. In this case, the IURC is being asked to determine whether Huntertown should continue to pay a lower contract rate to Fort Wayne, or a higher rate as a retail customer.

CASE TIMELINE

Huntertown and Fort Wayne filed testimony and exhibits with the IURC on *October 16, 2014*, and have until *November 18, 2014* to submit responses to each others' filings.

The **Allen County Regional Water and Sewer District** and **Twin Eagles Development, LLC** have formally intervened in this case and are scheduled to file their respective cases-in-chief on *November 18, 2014*.

The **Indiana Office of Utility Consumer Counselor (OUCC)** is a separate state agency from the IURC, and is the statutory representative for the interests of all utility consumers (residential, commercial and industrial) in IURC cases. The OUCC is scheduled to file written testimony on *December 4, 2014*.

IURC technical evidentiary hearings are scheduled for *January 13 and 15, 2015* in Indianapolis. Evidentiary hearings are open to the public but participation is typically limited to attorney cross-examination and Commission questioning of technical witnesses who have filed written testimony.

The case's formal parties will file proposed orders, the equivalent of closing arguments, with the Commission on *dates to be determined* after the January hearings.

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.

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

TO LEARN MORE

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

- Visit www.in.gov/iurc
- Click the "Electronic Document System" link in the upper right portion of the page
- Click the "Search Cases" link near the upper left corner of the following page
- Enter docket number 44519 in the first field on the search page

Case updates are also available on the OUCC Website at www.in.gov/oucc/2803.htm.

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. Regulates utility rates, financing, service territory, quality, etc.
- Required by law to make decisions that balance the interests of utilities and consumers