

FILED
April 3, 2024
INDIANA UTILITY
REGULATORY COMMISSION

STATE of INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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**JOINT PETITION OF INDIANA-AMERICAN)
WATER COMPANY INC. (“INDIANA)
AMERICAN”) AND SILVER CREEK WATER)
CORPORATION (“SILVER CREEK”) FOR)
APPROVAL AND AUTHORIZATION OF: (A))
THE ACQUISITION BY INDIANA)
AMERICAN OF SILVER CREEK’S UTILITY)
PROPERTY (THE “SILVER CREEK WATER)
SYSTEM”) IN CLARK AND FLOYD)
COUNTIES IN INDIANA IN ACCORDANCE)
WITH A PURCHASE AGREEMENT)
THEREFOR; (B) APPROVAL OF)
ACCOUNTING AND RATE BASE)
TREATMENT; (C) APPROVAL OF THE)
RATES AND CHARGES TO BE APPLIED TO)
THE SILVER CREEK WATER SYSTEM)
AFTER CLOSING; (D) APPROVAL OF)
APPLICATION OF INDIANA AMERICAN’S)
RULES AND REGULATIONS FOR WATER)
SERVICE TO THE SILVER CREEK WATER)
SYSTEM; (E) APPLICATION OF INDIANA)
AMERICAN’S DEPRECIATION ACCRUAL)
RATES TO SUCH ACQUIRED PROPERTIES;)
AND (F) THE SUBJECTION OF THE)
ACQUIRED PROPERTIES TO THE LIEN OF)
INDIANA-AMERICAN’S MORTGAGE)
INDENTURE.)**

CAUSE NO. 46023

You are hereby notified that on this date the Indiana Utility Regulatory Commission (“Commission”) has caused the following entry to be made:

On April 2, 2023, Indiana American Water (“Indiana American”) and Silver Creek Water Corporation (“Silver Creek”) (collectively “Joint Petitioners”) filed their Motion for Agreed-Proposed Procedural Schedule that set forth a procedural schedule that Petitioner asserted all parties had agreed upon. The Presiding Officers, having reviewed the proposed schedule, now establish the following procedural schedule in this matter:

1. **Joint Petitioners' Prefiling Date.** Joint Petitioners prefiled with the Commission their prepared testimony and exhibits constituting their case-in-chief on March 12, 2024. Copies of the same were served upon the Indiana Office of Utility Consumer Counselor ("OUCC").

2. **OUCC and Intervenors' Prefiling Date.** The OUCC and all Intervenors shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before May 28, 2024. Copies of the same shall be served upon all parties of record.

3. **Petitioner's Rebuttal Prefiling Date.** Joint Petitioners shall prefile with the Commission their prepared rebuttal testimony on or before June 11, 2024. Copies of the same shall be served upon all parties of record.

4. **Evidentiary Hearing on the Parties' Cases-In-Chief.** In the event this Cause is not settled, this matter shall proceed to an evidentiary hearing to commence at 9:30 a.m. on June 28, 2024, in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. At such time, the cases-in-chief of the Joint Petitioners, the OUCC and any Intervenors shall be presented and their respective witnesses examined. Thereafter, Joint Petitioners shall present their prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of the OUCC's or Intervenors' witnesses. If the parties reach settlement, the agreement and supporting testimony and exhibits shall be submitted to the Commission at least ten business days prior to the evidentiary hearing.

5. **Hearing Exhibits.** Paper copies of exhibits to be offered at the evidentiary hearing must be single-sided and fastened together with staples, binder clips, or other non-permanent bindings that have no more than three holes along the longest edge. Parties shall process exhibits (1) consisting of excel spreadsheets, (2) are oversized, or (3) are voluminous in nature, through an optical character recognition program and offer the exhibits on a compact disc. Parties shall offer confidential exhibits on green paper in an envelope marked "confidential" or, if offered on a compact disc, the compact disc shall be labeled "confidential."

6. **Sworn Testimony.** Any witness testimony to be offered into the record of this proceeding shall be made under oath or affirmation. In accordance with 170 IAC 1-1.1-18(h), if a party offers prefiled testimony of a witness into evidence at the evidentiary hearing, and the witness sponsoring the prefiled testimony is not required to, and does not, attend the evidentiary hearing, the prefiled testimony shall be accompanied by the witness's sworn affidavit or written verification at the time the evidence is offered into the record.

7. **Discovery.** Any party may utilize discovery and the parties shall conduct discovery on an informal basis. Until Joint Petitioners have filed their rebuttal testimony, any response or objection to discovery shall be due within ten calendar days. After Joint Petitioners have filed their rebuttal testimony, any response or objection to a discovery request shall be made within four calendar days of the receipt of such request. Discovery served after noon on a Friday or the day before a state holiday shall be considered served the following business day. The parties shall utilize electronic discovery.

8. **Prefiling of Workpapers.** When a party prefiles technical evidence with the Commission, the party shall also file a copy of the workpapers used to produce that evidence within two business days after prefilings of the technical evidence. Copies of the workpapers shall also be served on all other parties in this Cause. When submitting workpapers to the Commission, two copies of each document shall be filed with the Secretary of the Commission.

9. **Number of Copies/Corrections.** Filings with the Commission shall comply with General Administrative Order 2016-2. Any corrections to prefiled testimony shall be made in writing as soon as possible after discovery of the need to make such corrections.

10. **Objections to Prefiled Testimony and Exhibits.** Parties shall file and serve on all parties of record, any objections to the admissibility of prefiled testimony or exhibits as soon as an objection can be reasonably determined, but no less than ten days prior to the date scheduled for commencement of the hearing at which the testimony or exhibit will be offered into the record.

11. **Intervenors.** Any party permitted to become an Intervenor in this Cause shall be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 IAC 1-1.1-11.

IT IS SO ORDERED.



Sarah E. Freeman, Commissioner



Kehinde Akinro, Administrative Law Judge

Date: April 3, 2024