

IN THE
INDIANA COURT OF APPEALS

No. 19A-EX-2077

INDIANA OFFICE OF UTILITY	}	
CONSUMER COUNSELOR,	}	
	}	Appeal from the
Appellant (Statutory Party Below),	}	Indiana Utility Regulatory Commission
	}	
v.	}	
	}	
INDIANA-AMERICAN WATER	}	IURC No. 45043
COMPANY,	}	
CITIZENS ACTION COALITION OF	}	
INDIANA, INC.,	}	The Hon. James Huston, Chair
TOWN OF SCHERERVILLE, INDIANA and	}	The Hon. Sarah Freeman,
INDIANA UTILITY REGULATORY	}	The Hon. Stefani Krevda,
COMMISSION,	}	The Hon. David Ober and
	}	The Hon. David E. Ziegner,
Appellees (Petitioner, Intervenors,	}	Commissioners
and Administrative Agency Below).	}	

**APPELLEE INDIANA-AMERICAN WATER COMPANY’S
VERIFIED NOTICE OF IURC DENIAL OF APPELLANT OUCC’S
PETITION FOR IURC RECONSIDERATION OF ORDER ON APPEAL**

Appellant Indiana Office of Utility Consumer Counsel (OUCC) sought a stay of its appeal, pending a ruling by the Indiana Utility Regulatory Commission (IURC) on OUCC’s petition for reconsideration of the IURC order on appeal. The Court’s September 17, 2019 Order granted OUCC’s requested stay, and directed OUCC to file within 30 days (*i.e.*, by October 17, 2019) either a status report on the IURC proceeding or a motion to dismiss OUCC’s appeal.

Appellee Indiana-American Water Company hereby notifies the Court that, although no OUCC status report has yet been filed, the IURC denied OUCC’s petition for reconsideration one week ago, on October 8, 2019. A copy of the IURC order denying OUCC’s petition is attached as *Exhibit A*. Indiana-American therefore respectfully submits that the stay should be lifted.

*Appellee Indiana-American Water Company's
Verified Notice of IURC Denial of Appellant OUCC's
Petition for IURC Reconsideration of Order on Appeal*

Respectfully submitted,

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Counsel for Appellee
Indiana-American Water Company

VERIFICATION

Pursuant to Indiana Appellate Rule 34(F), I verify that the facts set forth in the foregoing
Verified Notice are true and correct.

s/Peter J. Rusthoven
Peter J. Rusthoven [# 6247-98]

*Appellee Indiana-American Water Company's
Verified Notice of IURC Denial of Appellant OUCC's
Petition for IURC Reconsideration of Order on Appeal*

CERTIFICATE OF SERVICE

Pursuant to Indiana Appellate Rules 24(D) & 68(F), I certify that on October 15, 2019 copies of this Notice were served on the following electronically, *via* the Indiana Electronic Filing System:

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