

STATE of INDIANA

INDIANA UTILITY REGULATORY COMMISSION  
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**PETITION OF THE CITY OF EAST CHICAGO, )  
INDIANA FOR AUTHORITY TO ISSUE BONDS, )  
NOTES, OR OTHER OBLIGATIONS FOR )  
AUTHORITY TO INCREASE ITS RATES AND ) CAUSE NO. 45827  
CHARGES FOR WATER SERVICE, AND FOR )  
APPROVAL OF NEW SCHEDULES OF WATER )  
RATES AND CHARGES. )**

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

On May 7, 2024, the City of East Chicago, Indiana (“Petitioner”) filed a Motion to Amend Order (“Motion”) and Unopposed Request to Schedule an Attorneys’ Conference (“Request”). In the Motion, Petitioner states that it seeks to amend the August 16, 2023 final order in this Cause in several respects:

First, Petitioner requests modification of the set-aside requirement imposed by Paragraph 1(D) [of] the Settlement Agreement. Specifically, given its current cash-flow needs, Petitioner requests that it be permitted to apply the funds that it is otherwise required to set aside to reduce the amount financed to instead support its operations and build up minimum cash balances as required by ordinance with respect to its currently outstanding bonds. Petitioner requests that this relief be granted retroactive to January 2024, which is the fourth month that Petitioner had implemented new rates.

Second, Petitioner requests that the true-up requirement, which would otherwise apply no later than thirty (30) days after the closing of the SRF loan pursuant to Paragraph 1(E) of the Settlement Agreement, be deferred until after the end of State fiscal year 2024/2025 and with the implementation of the Phase III rates approved by the Order which begins on September 1, 2025, by which time all financing is expected to be completed.

Motion at 3, ¶¶ 8-9.

The Request asks the Commission to schedule this matter for an attorneys’ conference because Petitioner “is optimistic that the parties may be able to reach consensus on one or more of the requests in the Motion to Amend.” Request at 1, ¶ 3.

The aspects of the final order that Petitioner seeks to amend are substantive in nature; therefore, we are opening a subdocket to address these matters and decline to schedule an attorneys' conference at this time. The caption of the subdocket in 45827 S1 shall be the following:

**PETITION OF THE CITY OF EAST CHICAGO, )**  
**INDIANA TO AMEND CERTAIN ASPECTS OF THE ) CAUSE NO. 45827 S1**  
**COMMISSION'S AUGUST 16, 2023 FINAL ORDER )**  
**IN CAUSE NO. 45827 )**

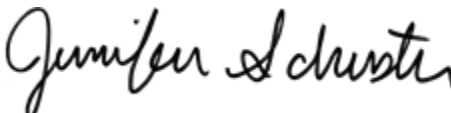
In lieu of a prehearing conference, the parties shall file a motion for an agreed-upon procedural schedule in Cause No. 45827 S1 on or before May 31, 2024. If the parties are unable to agree to scheduling matters, the parties shall so indicate.

**IT IS SO ORDERED.**



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David E. Ziegner, Commissioner



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Jennifer L. Schuster, Senior Administrative Law Judge

Date: May 17, 2024