



INDIANA UTILITY REGULATORY COMMISSION  
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**PETITION OF AMERICAN SUBURBAN UTILITIES, INC. FOR )  
(1) AUTHORITY TO INCREASE ITS RATES AND CHARGES )  
FOR SEWER UTILITY SERVICE, (2) APPROVAL OF NEW ) CAUSE NO. 44676  
SCHEDULES OF RATES AND CHARGES APPLICABLE )  
THERETO )**

**PETITION OF AMERICAN SUBURBAN UTILITIES, INC. AN )  
INDIANA CORPORATION, FOR (1) AUTHORITY TO ENTER )  
INTO A TERM CREDIT FACILITY IN AGGREGATE )  
AMOUNT UP TO \$5,100,000; (2) ENCUMBER PETITIONER'S ) CAUSE NO. 44700  
ASSETS AS SECURITY FOR SUCH LONG-TERM DEBT; AND )  
(3) AUTHORITY TO USE THE NET PROCEEDS THEREFROM )  
TO REIMBURSE ITS TREASURY AND FINANCE ITS )  
CONSTRUCTION PROGRAM )**

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

On November 7, 2019, American Suburban Utilities, Inc. ("ASU") filed Petitioner's Submission of Compliance Filing and Phase III Rates. ASU certified that its Carriage Estates Wastewater Treatment Plant ("CE-III Plant") is in service. On December 9, 2019, the Indiana Office of Utility Consumer Counselor ("OUCC") filed OUCC's Objection to ASU's Phase III Compliance filing. The OUCC argues that while the CE-III Plant may be in service, it is not complete and does not comply with the IDEM construction permit issued for the project.

On December 19, 2019, ASU filed Petitioner's Response to OUCC Objection to Phase 3 Tariff Compliance Filing. ASU notes that the OUCC does not dispute any of its calculations or that the CE-III Plant is in service. ASU states that it did not agree to a particular design in the 44272 case. Rather, the Commission's Order in Cause No. 44272 is focused on plant capacity and the level of expenditures preapproved. On December 23, 2019, the OUCC filed OUCC's Reply to Petitioner's Response to the OUCC's Objection to ASU's Phase 3 Tariff Compliance Filing.

At the time of the Commission's Order in this proceeding, there had not yet been any established protocol for implementation of later phases of rates with a hybrid or forward looking test period. As a result, the Commission's Order does not address whether or not the later phases of rates should be implemented on an interim basis. Therefore, in order to address the OUCC's concerns we are opening a subdocket proceeding. The subdocket shall be captioned as follows:

**PETITION OF AMERICAN SUBURBAN UTILITIES, INC. FOR )  
APPROVAL OF COMPLIANCE FILING AND PHASE III ) CAUSE NO. 44676 S1  
RATES )**

We are setting this matter for a prehearing conference for the purposes of establishing a procedural schedule and for determining whether ASU's Phase III rates should be approved on an interim basis subject to refund pending the outcome of the subdocket. Thus, ASU shall offer any support for interim approval of the compliance filing and Phase III rates at the prehearing conference. The prehearing conference is scheduled for 9:30 a.m. on January 27, 2020 in Room 222.

**IT IS SO ORDERED.**



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David E. Ziegner, Commissioner



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David E. Veleta, Senior Administrative Law Judge

1/8/20

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Date