

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF MARYSVILLE-OTISCO-NABB )  
WATER CORPORATION: (1) FOR AUTHORITY )  
AND APPROVAL TO INCREASE RATES AND )  
CHARGES FOR WATER SERVICE, INCLUDING )  
APPROVAL OF NEW SCHEDULE(S) OF RATES )  
AND CHARGES FOR WATER SERVICES (2) FOR )  
AUTHORITY AND APPROVAL TO ISSUE )  
BONDS, NOTES, OR OTHER OBLIGATIONS OF )  
INDEBTEDNESS )

CAUSE NO. 45955

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

On October 25, 2023, Marysville-Otisco-Nabb Water Corporation (“Petitioner”) and the Indiana Office of Utility Consumer Counselor (“OUCC”) filed an Agreed Motion requesting establishment of the parties’ agreed procedural schedule, test year, and cut-off date in lieu of conducting a prehearing conference.

Based upon the agreement of the parties, the Presiding Officers establish the following procedural schedule.

1. **Test Year and Accounting Method.** The test year for determining Petitioner’s actual and pro forma operating revenues, expenses and operating income under present and proposed rates shall be the 12 months ended December 31, 2022, adjusted for changes that are fixed, known, and measurable for ratemaking purposes and that occur within 12 months following the end of the test year.

2. **Cutoff date.** The rate base cutoff shall reflect used and useful property at the end of the test year.

3. **Notice to Customers.** Petitioner shall provide evidence of its compliance with 170 IAC 6-1-18(C) to provide notice to its customers within 45 days of filing a petition with the Commission for a change in its base rates which fairly summarizes the nature and extent of the proposed changes.

4. **Petitioner’s Prefiling Date.** Petitioner prefiled with the Commission its prepared testimony and exhibits constituting its case-in-chief on October 2, 2023.

5. **OUCC’s 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 January 12, 2024. Copies of the same shall be served upon all parties of record.

6. **Petitioner’s Rebuttal Prefiling Date.** Petitioner shall prefile with the Commission its prepared rebuttal testimony on or before February 9, 2024. Copies of the same shall be served upon all parties of record.

7. **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 March 7, 2024 in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. At such time, the cases-in-chief of Petitioner, the OUCC, and any Intervenors shall be presented and their respective witnesses examined. Thereafter, Petitioner shall present its 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.

8. **Hearing Exhibits.** Paper copies of exhibits to be offered at the evidentiary hearing must be: (a) single-sided; and (b) 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.”

9. **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.

10. **Post-Hearing Filing Schedule.** Petitioner shall file its proposed order on or before March 22, 2024. The OUCC and any Intervenors shall file their respective proposed orders, or exceptions to Petitioner’s proposed order, on or before April 12, 2024. Petitioner shall file any reply to a post-hearing filing of the OUCC or any Intervenor within seven calendar days thereafter.

11. **Discovery and Service.** Discovery is available for all parties and shall be conducted on an informal basis. Any response or objection to a discovery request shall be made within ten calendar days of the receipt of such request until the OUCC and any Intervenors file their respective cases-in-chief. Thereafter, any response or objection to a discovery request shall be made within five business days of the receipt of such request. Any discovery communication served after 1:00 p.m. on a Friday or after 5:00 p.m. on any other business day shall be deemed to have been served on the next business day. No discovery shall be served if the response shall be due within two business days of the Evidentiary Hearing. The parties agree that discovery may be conducted through electronic means. In addition, subject to the protection of confidential information, all parties will be served with discovery requests and responses. The parties agree to provide same day service filings via e-mail, hand delivery, or large file transfer.

12. **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 prefilng 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.

13. **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.

14. **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.

15. **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.**



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Wesley R. Bennett, Commissioner



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Loraine L. Seyfried, Chief Administrative Law Judge

Date: October 31, 2023