

**STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION**

IN THE MATTER OF THE PIPELINE)
SAFETY DIVISION'S INVESTIGATION) **CAUSE NO. 44956**
OF FORT WAYNE UTILITIES IN PIPELINE)
SAFETY DIVISION CASE NUMBER 15020)

PETITION FOR PUBLIC HEARING AND REVIEW

TO THE INDIANA UTILITY REGULATORY COMMISSION:

Petitioner, the City of Fort Wayne, Indiana (“Fort Wayne”), pursuant to 170 IAC 5-5-3(g) and General Administrative Order 2016-3 hereby files this Petition for Public Hearing and Review (“Petition”) with the Commission requesting a hearing and review of both the findings of the Pipeline Safety Division (“Division”) and the recommended civil penalty of the Indiana Underground Plant Protection Advisory Committee (“Advisory Committee”). In support of its Petition, Fort Wayne states:

1. Fort Wayne owns and operates a Municipal Sewer Utility with a mailing address of 515 East Wallace Street, Fort Wayne, Indiana 46803.
2. Pursuant to Ind. Code § 8-1-26-16(a) Fort Wayne notified Indiana 811 of its intent to perform certain excavation and sewer work at 10626 Knoll Ton Run 33, Fort Wayne. Indiana 811 memorialized this notice in the form of ticket 1610051150.
3. Pursuant to Ind. Code § 8-1-26-16(a), the notice was received more than two (2) full working days but not more than twenty (20) calendar days “before the commencement of the work.”
4. Pursuant to Ind. Code § 8-1-26-20, Fort Wayne assessed the area prior to commencing its excavation and, using hand tools, visually identified the precise location of a gas

service line which was within the two (2) feet area around the located line. The gas service line was discovered at approximately twenty-eight (28) inches underground. It is typical and accepted practice for Fort Wayne to expose only a sample location (often referred to as “potholing”) within the total excavation to ascertain line locations and depths. Fort Wayne used this potholing method, and any other method of identifying pipe location and depth is impractical. At the location where the service line was exposed and visually identified, personnel visually confirmed that no facility was present at a depth that was shallower than twenty-eight (28) inches.

5. Despite planning the dig, taking reasonable precautions to avoid causing any damage, visually identifying the line, and confirming the lack of facilities at less than twenty (20) inches underground, the gas service line was accidentally damaged.

6. Part of the work that Fort Wayne was conducting required removing a tree root ball which was less than twenty-eight (28) inches deep.

7. Consistent with Ind. Code § 8-1-26-20, Fort Wayne was permitted to use mechanized equipment given that it had confirmed the precise location of the line at a specific area within the excavation and had confirmed there were no facilities at a depth of less than twenty-eight (28) inches within that same area.

8. Removing the tree root ball through means other than mechanized equipment is impractical. Accordingly, Fort Wayne used mechanized equipment at an elevation of less than twenty-eight (28) inches to remove the tree root ball.

9. Unfortunately, and unexpectedly, the gas service line took a steep slope in a short span such that it moved from twenty-eight (28) inches deep at the place it was located to approximately ten (10) inches deep at the place it was damaged. The gas line was located in or

near the root ball which meant that damage occurred to the shallow portion of the gas line when the root ball was excavated using mechanized equipment.

10. The reason for the steep slope change is that NIPSCO had performed certain repair work to the gas service line. Upon information and belief, NIPSCO knew of the depth change in its service line, but did not inform Fort Wayne of the depth of its service line. Had NIPSCO provided Fort Wayne the information of the depth of the service line, Fort Wayne could have avoided the damage to that line.

11. The Division's Investigation Report found that "the excavator failed to maintain clearance with mechanized equipment within the tolerance zone." See Exhibit A, p. 2. Then the Division stated that Fort Wayne's violation was "Failure to provide notice of excavation" under Ind. Code § 8-1-26-16(h).

12. The Division's Investigative Report misstates the facts and the law.

13. First, Fort Wayne did provide the notice required by Ind. Code § 8-1-26-16 when it obtained locate ticket 1610051150. Thus, the Division is incorrect that Fort Wayne failed to provide notice, and that reason alone is sufficient to reverse the Division's finding.

14. Second, Fort Wayne was permitted to use the mechanized equipment under Ind. Code § 8-1-26-20 given that Fort Wayne visually confirmed the location of the gas service line and confirmed that there were no other facilities at the depth of the excavation. Thus, the Division's findings should be reversed.

15. In addition, upon information and belief, the Division was outside of the limitations period to investigate this incident such that any penalty finding must be reversed.

16. Pursuant to the April 26, 2017 letter from the Advisory Committee, the Advisory Committee indicated that Fort Wayne "may appear at the meeting" of the Advisory Committee

but that “there will not be an opportunity to present additional evidence or witnesses.” Exhibit A (emphasis in original).

17. The Notice states that Fort Wayne “may provide additional written evidence . . . [but only if such documents are] **received at least seven (7) days prior to the date** [of Fort Wayne’s] **case will be heard.**” Exhibit A (emphasis added).

18. Under the Commission’s rules, the Advisory Committee is required to “provide the person or entity accused of violating IC 8-1-26 with notice and an opportunity to appear before the advisory committee prior to the advisory committee making a recommendation on the summary damage report.” 170 IAC 5-5-3(d).

19. “[A] person or entity accused of violating IC 8-1-26 may send correspondence regarding the pipeline safety division’s finding of a violation to the advisory committee **in lieu of appearing** at the public meeting in person.” 170 IAC 5-5-3(e) (emphasis added).

20. Reading 170 IAC 5-5-3(d) and (e) together indicates that the accused has an opportunity to appear before the Committee and present any evidence it may have of the incident. The Advisory Committee’s April 6, 2017 Letter works to undo 170 IAC 5-5-3(d) and (e) by limiting the accused’s rights to present its case. The Advisory Committee should not be permitted to circumvent the rules in this manner.

21. Despite the failure to provide the adequate procedures to Fort Wayne, the Advisory Committee rendered a decision on May 18, 2017, recommending a civil penalty of \$4,500. A true and accurate copy of the May 18, 2017, recommendation is attached hereto as Exhibit B.

22. The Advisory Committee’s decision should be reversed for at least two reasons. First, the Advisory Committee’s letter incorrectly states that the Division found a violation of

Ind. Code § 8-1-26-20(a)(2). As noted above, the Division actually incorrectly alleged a violation of Ind. Code § 8-1-26-16(h). Second, the Advisory Committee did not consider the facts (or allow Fort Wayne to present a case) that should have offset a finding of a penalty.

23. Pursuant to 170 IAC 5-5-3(f), “[u]pon receiving a recommendation from the advisory committee, the commission shall provide the person or entity accused of violating IC 8-1-26 with notice of the advisory committee’s recommendation and provide the person or entity thirty (30) days to request a public hearing on the advisory committee’s recommendation.”

24. Fort Wayne has not received notice from the Commission as required under 170 IAC 5-5-3(f), but Fort Wayne is filing this petition within thirty (30) days of receipt of the letter from the Advisory Committee. (As noted on Exhibit B, Fort Wayne received that letter on May 23, 2017).

25. A public hearing is requested in this matter to establish the above facts and circumstances to show (1) that Fort Wayne did not violate Ind. Code § 8-1-26-16(h); (2) that Fort Wayne did not violate Ind. Code § 8-1-26-20; (3) that the Advisory Committee’s recommendation of a penalty is contrary to the facts and law; (4) that the Division and the Committee were without authority to investigate the incident; and (5) that the Division and the Committee have failed to follow the necessary public meeting and hearing requirements of the Commission’s rules.

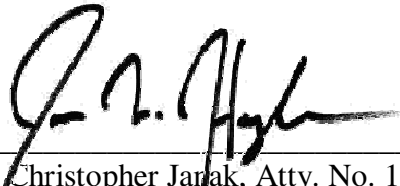
26. Fort Wayne considers Ind. Code §§ 8-1-26 *et seq.* and 170 IAC 5-5-1 to 5-5-3 to be applicable to the relief requested by this Petition. Fort Wayne’s attorneys authorized to represent it in this proceeding, each of whom is authorized to accept service of papers in this proceeding on its behalf, and each of whom is authorized as a contact for the Respondent are:

J. Christopher Janak, Esq.
Jonathan W. Hughes, Esq.

Bose McKinney & Evans LLP
111 Monument Circle, Suite 2700
Indianapolis, IN 46204
(317) 684-5000 Telephone
(317) 684-5173 Fax
jjanak@boselaw.com
jhughes@boselaw.com

WHEREFORE, Fort Wayne respectfully requests the Commission hold a public hearing on the Division and the Advisory Committee's recommendations in Pipeline Safety Division Case No. 15020, pursuant to 170 IAC 5-5-3(g). Both the Division and the Advisory Committee's recommendations should be reversed. Moreover, Fort Wayne further requests that the Commission find the Pipeline Safety Division lacked authority and/or jurisdiction to issue its findings in the first place, and that the Committee and the Division failed to follow the Commission's rules. In addition, at any such Public Hearing, the Commission should take evidence from Fort Wayne and should permit Fort Wayne to conduct discovery on the Pipeline Safety Division, the Committee, and all other interested parties. Fort Wayne further seeks any and all other relief proper and appropriate in the premises.

Respectfully submitted,



J. Christopher Jarak, Atty. No. 18499-49
Jonathan W. Hughes, Atty. No. 28610-29
Bose McKinney & Evans LLP
111 Monument Circle, Suite 2700
Indianapolis, IN 46204
317-684-5000 (Phone)
317-684-5173 (fax)

Counsel for Petitioner, City of Fort Wayne, Indiana

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing "Verified Petition" was served upon the following by hand delivery or regular mail this 16th day of June, 2017:

OUC

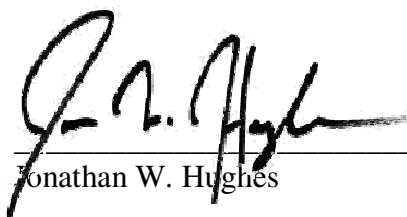
Office of Utility Consumer Counselor
Attn: Legal Division
PNC Center, Suite 1500 South
115 West Washington Street
Indianapolis, IN 46204
infomgt@oucc.in.gov

Pipeline Safety Division

Indiana Utility Regulatory Commission
Attn: Office of General Counsel
PNC Center, Suite 1500 East
101 West Washington Street
Indianapolis, IN 46204
jcomeau@urc.in.gov

Underground Plant Protection Advisory Committee

Indiana Underground Plant Protection Advisory Committee
c/o Indiana Utility Regulatory Commission
Attn: Legal Counsel
PNC Center, Suite 1500 East
101 West Washington Street
Indianapolis, IN 46204
dpoon@urc.in.gov


Jonathan W. Hughes

Bose McKinney & Evans LLP
111 Monument Circle, Suite 2700
Indianapolis, IN 46204
(317) 684-5000
(317) 684-5173 Fax

3219774_1

Exhibit A

Rec'd @ WMS 5/11/17
@ 1400 KJF

STATE of INDIANA



INDIANA UTILITY REGULATORY COMMISSION
101 WEST WASHINGTON STREET, SUITE 1500 EAST
INDIANAPOLIS, INDIANA 46204-3419

www.in.gov/iurc
Office: (317) 232-2701
Facsimile: (317) 232-6755

April 26, 2017

Scan TO: John C.
Nan M
Joe J

City of Fort Wayne
415 E Wallace St.
Fort Wayne, IN 46803

Subject: In Re the Investigation of City of Fort Wayne
Case Number: 15020

Dear City of Fort Wayne,

I am writing to provide you a copy of the Investigation Report and Findings filed by the Indiana Utility Regulatory Commission's Division of Pipeline Safety ("Division") regarding the matter referenced above.

→ Please note that the Indiana Underground Plant Protection Advisory Committee ("Advisory Committee") will review your case on May 16, 2017 at 9:00 a.m. EDT, at the Indiana 811 Office - 1433 Holy Moley Way, Greenwood, IN 46142. As the Respondent, you may appear at the meeting, but you are not required to attend. Most Respondents do not attend and your absence does not affect the outcome of your case.

The Advisory Committee's review of your case is not a hearing and there will not be an opportunity to present oral evidence or witnesses. Pursuant to 170 IAC 5-5-3(e), you may provide additional written evidence (correspondence, documents, photos, maps or drawings, etc.) at the meeting or you can send the documents to the Division. Documents sent to the Division must be received at least seven (7) days prior to the date your case will be heard. Only information received by that time will be copied and provided to the Advisory Committee for consideration.

Please forward any additional evidence you would like the Advisory Committee to consider to the address below or scan the materials and send them electronically. Be sure to include your assigned Pipeline Safety Division Case Number on all communications. Please add your Case Number and denote "ADDITIONAL DOCUMENTS" at the top of your materials or in the subject heading of your email.

Mail: Pipeline Safety Division - Case No. 15020
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 E
Indianapolis, IN 46204

Email: PipelineDamageCase@iurc.in.gov

Earlier you were provided a copy of the Summary of Procedures and Respondent's Rights which provides an explanation of your rights regarding these matters. You can access this document at <http://www.in.gov/iurc/2335.htm>.

Sincerely,

DeAnna L. Poon
Legal Advisor, Advisory Committee
Assistant General Counsel, IURC

Attachment: Investigation Summary Report



INDIANA UTILITY REGULATORY COMMISSION
101 WEST WASHINGTON STREET, SUITE 1500 EAST
INDIANAPOLIS, INDIANA 46204-3419

www.in.gov/iurc
Office: (317) 232-2701
Facsimile: (317) 232-6758

Pipeline Safety Division Investigation Report

Investigation regarding: City of Fort Wayne

Case Number: 15020

Report Date: 2/10/2017 12:00 AM

Investigator: Mike Orr

Damage Date: 10/10/2016 12:00 AM

Damage Address: 10626 Knoll Ton Run 33, Fort Wayne

The Parties

Excavator: City of Fort Wayne

Address: 415 E Wallace St. Fort Wayne, IN 46803

Facility Owner: Northern Indiana Public Service Company

Pipeline Facility

Facility Type: Natural Gas

Facility Function: Service/Drop

Type of Equipment: Backhoe/Trackhoe

Type of Work Performed: Sewer

Damage Impact

Product Release: Yes

Service Interruption: Yes -1

Repair Cost (if known):

Facility Depth (inches): 27.0000

Excavator Activities/Cause of Damage Information:

Excavator Request Locates: Yes Indiana 811 Ticket Number: 1610051150

Excavator Notify Operator: Yes

Excavator Notify 811:

Excavator Notify 911: Yes

Severity Circumstances Submitted by Excavator/Operator:

Excavator: Operator:

Findings: The excavator had a valid locate ticket and the gas operator provided accurate facility markings; however, the excavator failed to maintain clearance with mechanized equipment within the tolerance zone.

Violation: IC 8-1-26-16(h) Failure to provide notice of excavation.

Exhibit B

STATE of INDIANA



INDIANA UTILITY REGULATORY COMMISSION
101 WEST WASHINGTON STREET, SUITE 1500 EAST
INDIANAPOLIS, INDIANA 46204-3419

Rec'd WMS
5-23-17
0700 KJZ

www.in.gov/iurc
Office: (317) 232-2701
Facsimile: (317) 232-6758

May 18, 2017

City of Fort Wayne
415 E Wallace St.
Fort Wayne, IN 46803

Subject: Proposed Findings and Civil Penalties in Case No. 15020

To Whom It May Concern:

As you are aware, you were initially sent a letter requesting your version of events in Case No. 15020. The Indiana Utility Regulatory Commission's ("IURC") Pipeline Safety Division ("Division") investigated the case, considering all information provided, including anything you provided in response to the information request. Pursuant to IC 8-1-26-23(g), the Division found you in violation of IC 8-1-26. After public notice, during a Public Meeting where you had the opportunity to present written evidence, the Committee reviewed the case and made penalty recommendations. IC 5-14-1.5-5, IC 8-1-26-23(h). This letter is to notify you of the Committee's recommendation and give you the opportunity to seek a public hearing pursuant to IC 8-1-26-23(k) if you so request.

The Division determined the following violation(s): IC 8-1-26-20(a)(2)

The Committee recommends the following civil penalty: 4500

If you agree with the findings and recommended civil penalty, no further action is necessary. You will receive a Final Order in approximately one month after your case has been finally approved by the IURC. You do NOT need to take action on your penalty at this time. Instructions to complete your civil penalty (including where to mail payment and how to schedule training, as applicable) will be included with the Final Order, which you should receive in about sixty (60) days.

If you disagree with the findings or recommended civil penalty, you have the right to a hearing before the IURC. You must file for a hearing within thirty (30) days of your receipt of this letter or the IURC will consider this right knowingly waived. Please note that requests for hearing must be in compliance with 170 IAC 1-1.1-3 and GAO 2016-3 (attached) governing filings. Please feel free to contact me with any questions at (317) 232-6735 or dpoon@iurc.in.gov.

Sincerely,

DeAnna L. Poon
DeAnna L. Poon
Legal Advisor, Advisory Committee
Assistant General Counsel, IURC

Attachments: 170 IAC 1-1.1-3 GAO 2013-8

Scan Everything to:

John C.
NAN M
MALAK H.

Malak
Bowes
Take on

HIT: 2/10/17

Address: 10626 Knollton Run 33,
Ft. Wayne

Dept. SEWER

2011 11 25 S
11-25-11
11:00 0070

170 IAC 1-1.1-3 Filings and communications with the commission, copies, and computation of time

Authority: IC 8-1-1-3; IC 8-1-2-47

Affected: IC 8-1-1-5; IC 8-1-1.1-5.1

Sec. 3. (a) The filing of any communication, paper, or pleading with the commission may be made through the United States mail or in person as follows:

(1) Filings made by mail are considered filed on the date received by the commission. All filings shall be addressed to the secretary of the commission.

(2) Filings made in person are considered filed on the date received by the commission. Unless authorized by a presiding officer, a filing may not be accepted outside of the regular business hours of the commission on the date due.

(b) A presiding officer at any hearing may permit appropriate pleadings or other papers to be filed with the presiding officer at the hearing.

(c) Unless otherwise provided by this rule, the petitioner or other party shall file with the secretary of the commission an original pleading and four (4) copies, one (1) of which must be unbound and printed on only one (1) side of the page, in proceedings assigned only to an administrative law judge. The petitioner or other party shall file with the secretary of the commission an original and five (5) copies, one (1) of which must be unbound and printed on only one (1) side of the page, in proceedings assigned to a commissioner and administrative law judge. A presiding officer may require that a different number of copies be filed. Filings other than:

- (1) territorial maps;
- (2) engineering drawings; or
- (3) other visual aids;

must be made on eight and one-half (8½) inch by eleven (11) inch paper unless otherwise authorized by the presiding officer.

(d) All time periods within which to make filings with the commission are given in calendar days unless otherwise stated. In computing any period of time prescribed or allowed by this rule, by order of the commission or the presiding officer, or by any applicable statute that does not contain a provision regarding computation of time, the day of the act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period so computed is to be included unless it is a:

- (1) Saturday;
- (2) Sunday;
- (3) legal holiday as defined by state statute; or
- (4) day that the office in which the act is to be done is closed during regular business hours.

(e) In any event, the period runs until the end of the next day that is not a:

- (1) Saturday;
- (2) Sunday;
- (3) legal holiday; or
- (4) day on which the commission is closed for business.

When the period of time allowed is less than seven (7) days, intermediate Saturdays, Sundays, legal holidays, and days on which the office is closed shall be excluded from the computations.

(f) Remittances to the commission should be made by money order or check payable to the Indiana utility regulatory commission, except that remittances in payment of the statutory fees for the issuance of securities by municipalities shall be:

- (1) by check payable to the "Treasurer of the State of Indiana"; and
- (2) delivered to the secretary of the commission.

(Indiana Utility Regulatory Commission; 170 IAC 1-1.1-3; filed Oct 30, 2000, 2:10 p.m.: 24 IR 654; readopted filed Apr 6, 2006, 11:00 a.m.: 29 IR 2670; filed May 21, 2008, 9:29 a.m.: 20080618-IR-170070514FRA)

CASE 15020



**GENERAL ADMINISTRATIVE ORDER
OF THE INDIANA UTILITY REGULATORY COMMISSION
2016-3**

WHEREAS, Indiana Code § 8-1-26-23(a) establishes the Underground Plant Protection Advisory Committee ("Advisory Committee"); and

WHEREAS, Ind. Code § 8-1-26-23(g) requires the Pipeline Safety Division ("Division") of the Indiana Utility Regulatory Commission ("Commission") to investigate alleged violations of Ind. Code ch. 8-1-26 and forward its findings to the Advisory Committee; and

WHEREAS, Ind. Code § 8-1-26-23(h) provides that the Advisory Committee shall act in an advisory capacity to the Commission concerning the implementation and enforcement of Ind. Code ch. 8-1-26; and

WHEREAS, under Ind. Code § 8-1-26-23(h), the Advisory Committee may make recommendations regarding penalties with respect to persons that the Division has found to violate Ind. Code ch. 8-1-26; and

WHEREAS, under Ind. Code § 8-1-26-23(k), upon receiving a recommendation from the Advisory Committee, and after notice and opportunity for a public hearing, the Commission shall: uphold or reverse the finding of a violation by the Division, approve or disapprove each recommendation of the Advisory Committee, and collect any civil penalties and deposit the penalties in the underground plant protection account established by Ind. Code § 8-1-26-24(a); and

WHEREAS, the Commission desires to provide procedural guidance to persons requesting a public hearing under Ind. Code § 8-1-26-23(k);

WHEREAS, the Commission previously issued guidance in General Administrative Order ("GAO") 2013-8 and has determined that information needs to be updated;

CAS 12030

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Guidelines regarding a public hearing involving findings of the Division, recommendations of the Advisory Committee, or both, attached to this General Administrative Order as Appendix A, and the service list attached to this General Administrative Order as Appendix B, are hereby adopted by the Commission and GAO 2013-8 is hereby superseded.

CAS

Carol A. Stephan, Commission Chair

Sarah E. Freeman

Sarah E. Freeman, Commissioner

James F. Huston

James F. Huston, Commissioner

Absent

Angela Rapp Weber, Commissioner

David E. Ziegler

David E. Ziegler, Commissioner

I hereby certify that the above is a true and correct copy of the order as approved,

Mary M. Beecher

Mary M. Beecher
Secretary to the Commission

Date: SEP 21 2016

General Administrative Order 2016-3 -- Appendix A

Request for Public Hearing Under Indiana Code ch. 8-1-26 Guidelines

I. Request for Public Hearing.

- A. After receiving notice of the Underground Plant Protection Advisory Committee's ("Advisory Committee") recommendation to the Indiana Utility Regulatory Commission ("Commission") under Indiana Code § 8-1-26-23(h), a person, as defined by Ind. Code § 8-1-26-11, may request a public hearing under Ind. Code § 8-1-26-23(k) regarding the findings of the Pipeline Safety Division ("Division"), the recommendations of the Advisory Committee or both. In this appendix and in the proceeding, a person requesting a public hearing under Ind. Code § 8-1-26-23(h) shall be referred to as "Respondent."
- B. If a public hearing is not requested, the Commission, upon receiving a recommendation from the Advisory Committee, shall do the following, as applicable: uphold or reverse the finding of a violation by the Division, approve or disapprove the recommendation of the Advisory Committee, and collect any civil penalties and deposit the penalties in the underground plant protection account.
- C. All proceedings after a Request for Hearing is filed shall be governed by the Commission's Practice and Procedure Rules, which are located at 170 IAC 1-1.1, and by the guidance provided in this General Administrative Order.

II. Public Hearing Process.

- A. A Request for Public Hearing must be filed with the Commission within 30 days of receipt of the notice of the Advisory Committee's recommendation, as outlined in 170 IAC 5-5-3(f). Copies of the Request for Public Hearing shall be served on the Office of Utility Consumer Counselor ("OUCC"), the IURC's General Counsel on behalf of the Pipeline Safety Division, and the Advisory Committee. The Division and the Advisory Committee shall each be parties and designated as "Complainants" in all Requests for Public Hearing cases. The Service List for those parties is attached as Appendix B.
- B. An individual requesting a public hearing, such as a homeowner, may represent his or her own interest in accordance with 170 IAC 1-1.1-7(a). However, under 170 IAC 1-1.1-7(b), the interest of another person or entity (such as a company or partnership) may only be represented by an attorney who is admitted to practice before the Indiana Supreme Court and who is in good standing.

- G. The Complainant Division's case-in-chief shall include, at a minimum, the following documents: all documents filed by the excavator and operator in the case and the Division's investigation summary report.
- H. The Complainant Advisory Committee's case-in-chief shall include, at a minimum, the following documents: all documents filed by the excavator and operator in the case, the Division's investigation summary report, the Advisory Committee's recommendation form, and the Advisory Committee's penalty schedule.
- I. The Respondent's case-in-chief shall include any testimony and exhibits that it intends to offer at the evidentiary hearing in support of its Request for Public Hearing, its requested relief, and any response to the Complainant Division's and Advisory Committee's cases-in-chief. Exhibits shall identify the filing party and be numbered sequentially (e.g. Respondent's Exhibit 1, Respondent's Exhibit 2, etc.). Any witness testimony to be offered into the record shall be made under oath or affirmation using the language described in 170 IAC 1-1.1-8(d).
- J. At the evidentiary hearing conducted in the matter, the parties will be afforded an opportunity to offer their respective evidence into the record and to cross-examine the other parties' witnesses.

General Administrative Order 2016-3 – Appendix B

Service List

OUC

Office of Utility Consumer Counselor
Attn: Legal Division
PNC Center
115 West Washington St., Suite 1500 South
Indianapolis, IN 46204
infomgt@oucc.in.gov

Pipeline Safety Division

Indiana Utility Regulatory Commission
Attn: Office of General Counsel
PNC Center
101 W. Washington Street, Suite 1500 East
Indianapolis, IN 46204
jcomeau@urc.in.gov

Underground Plant Protection Advisory Committee

Indiana Underground Plant Protection Advisory Committee
c/o Indiana Utility Regulatory Commission
Attn: Legal Counsel
PNC Center
101 West Washington Street, Suite 1500 East
Indianapolis, IN 46204
dpoon@urc.in.gov