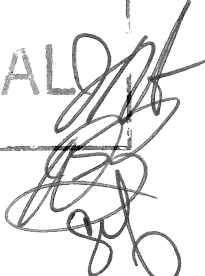


ORIGINAL 

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF THE CITY OF MARTINSVILLE, )  
INDIANA, FOR AUTHORITY TO ISSUE BONDS, )  
NOTES, OR OTHER OBLIGATIONS, FOR )  
AUTHORITY TO INCREASE ITS RATES AND )  
CHARGES FOR WATER SERVICE, AND FOR )  
APPROVAL OF NEW SCHEDULES OF WATER )  
RATES AND CHARGES. )

CAUSE NO. 45262

APPROVED: AUG 29 2019

PREHEARING CONFERENCE ORDER OF THE COMMISSION

Presiding Officers:

David L. Ober, Commissioner

Brad J. Pope, Administrative Law Judge

On July 19, 2019, the City of Martinsville, Indiana (“Petitioner”) filed its petition with the Indiana Utility Regulatory Commission (“Commission”) in this matter.

Pursuant to notice and as provided for in 170 IAC 1-1.1-15, a Prehearing Conference in this Cause was held on August 20, 2019, at 9:30 a.m. in Room 224 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. Proofs of publication of the notice of the Prehearing Conference have been incorporated into the record and placed in the official files of the Commission. Petitioner and the Indiana Office of Utility Consumer Counselor (“OUCC”) appeared and participated at the Prehearing Conference.

Prior to the opening of the record and with the consent of all parties in attendance, an informal discussion was held regarding procedural and scheduling matters in this Cause. Due to the availability of certain witnesses and timing constraints, the parties agreed to a bifurcated procedural schedule. Under these two schedules, all engineering and project management matters will have a procedural schedule separate and distinct from all other matters in Petitioner’s case-in-chief including financing, accounting, and ratemaking treatment. The parties also agreed that only one order should be issued in this Cause. The agreement of the parties was then read into the record.

Based upon the agreement of the parties, the Commission now enters the following Findings and Order, which shall become a part of the record in this proceeding:

- 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, 2018, 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. **Petitioner's Prefiling Date.** Petitioner prefiled with the Commission its prepared testimony and exhibits constituting its case-in-chief regarding all aspects of its requested relief on July 19, 2019.

4. **Schedule Regarding Engineering and Project Management Matters.**

A. **The OUCC's and Intervenors' Engineering and Project Management Prefiling Date.** The OUCC and all Intervenors shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief responsive to the engineering and project management matters included in Petitioner's case-in-chief on or before November 7, 2019. Copies of same shall be served upon all parties of record.

B. **Petitioner's Rebuttal Prefiling Date.** Petitioner shall prefile with the Commission its prepared rebuttal testimony responsive to the OUCC's and Intervenors' cases-in-chief regarding engineering and project management matters on or before November 20, 2019. Copies of same shall be served upon all parties of record.

C. **Evidentiary Hearing on the Parties' Cases-In-Chief Regarding Engineering and Project Management Matters.** In the event this Cause is not settled, the cases-in-chief regarding engineering and project management matters of Petitioner, the OUCC, and any Intervenors shall be presented in an evidentiary hearing to commence at 9:30 a.m., on December 17, 2019, in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. 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.

5. **Schedule Regarding All Non-Engineering and Project Management Matters.**

A. **The OUCC's and Intervenors' Non-Engineering and Project Management Prefiling Date.** The OUCC and all Intervenors shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief responsive to all non-engineering and project management matters included in Petitioner's case-in-chief on or before November 26, 2019. Copies of same shall be served upon all parties of record.

B. **Petitioner's Rebuttal Prefiling Date.** Petitioner shall prefile with the Commission its prepared rebuttal testimony responsive to the OUCC's and Intervenors' cases-in-chief regarding all non-engineering and project management matters on or before December 18, 2019. Copies of same shall be served upon all parties of record.

C. **Evidentiary Hearing on the Parties' Cases-in-Chief Regarding All Non-Engineering and Project Management Matters.** In the event this Cause is not settled, the cases-in-chief regarding all non-engineering and project management matters of Petitioner, the OUCC, and any Intervenors shall be presented in an evidentiary hearing to commence at 9:30 a.m., on January 13, 2020, in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis,

Indiana. 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.

6. **Hearing Exhibits.** Paper copies of exhibits to be offered at the evidentiary hearing must be: (a) single-sided; (b) fastened together with staples, binder clips, or other non-permanent bindings that have no more than three holes along the longest edge. Exhibits that contain excel spreadsheets, are oversized, or are voluminous in nature should be run through an optical character recognition program and offered on a compact disc. Confidential exhibits shall be offered on green paper in an envelope marked “confidential” or, if offered on a compact disc, the exhibits and compact disc shall be labeled “confidential.”

7. **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 the prefiled testimony of a witness is to be offered 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.

8. **Discovery.** 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. After the OUCC’s and Intervenors’ prefiling date for each procedural schedule (i.e., November 7, 2019, and November 26, 2019), any response or objection to a discovery request related to that particular procedural schedule shall be made within five calendar days of the receipt of such request. Discovery requests received after 5:00 p.m. EDT on Monday through Thursday or after 12:00 p.m. EDT on Fridays or the day before a holiday shall be deemed received the next business day. All discovery requests and responses shall be served on all parties of record.

9. **Prefiling of Working Papers.** When prefiling technical evidence with the Commission, each party shall file a copy of the working papers used to produce that evidence within two business days after the prefiling of such technical evidence. The working papers shall be filed in accordance with the User Manual referenced in General Administrative Order 2016-2. Copies of same shall also be served on the other parties to this Cause.

10. **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.

11. **Objections to Prefiled Testimony and Exhibits.** Any objections to the admissibility of prefiled testimony or exhibits shall be filed with the Commission and served on all parties of record 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.

12. **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 THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:**

1. The determinations of the Prehearing Conference set forth in this Order are made a part of the record in this Cause and shall be binding on all present and future parties of record during the proceedings of this Cause.

2. This Order shall be effective on and after the date of its approval.

**HUSTON, FREEMAN, AND ZIEGNER CONCUR; KREVDA AND OBER ABSENT:**

**APPROVED:      AUG 29 2019**

**I hereby certify that the above is a true and correct copy of the Order as approved.**

*Virginia Lucas acting for*  
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**Mary M. Becerra**  
**Secretary of the Commission**