FILED
February 1, 2016
INDIANA UTILITY
REGULATORY COMMISSION

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

| IN THE MATTER OF THE PETITION OF THE |) |
|-----------------------------------------|-------------------|
| TOWN OF HUNTERTOWN, INDIANA FOR (A) |) |
| REVIEW OF THE RATES AND CHARGES |) |
| BEING IMPOSED BY FORT WAYNE OF FORT |) |
| WAYNE, INDIANA FOR WHOLESALE |) |
| SERVICE PURSUANT TO IND. CODE § 8-1-2- |) CAUSE NO. 44519 |
| 61.7; AND (B) APPROVAL OF REGULATORY |) |
| ORDINANCES ESTABLISHING SERVICE | |
| TERRITORIES FOR THE TOWN'S | |
| MUNICIPAL WASTEWATER AND WATER | |
| SYSTEMS PURSUANT TO IND. CODE § 8-1.5-6 |) |
| ET SEQ. | |
| ~ | |
| RESPONDENT: CITY OF FORT WAYNE, |) |
| INDIANA | j |

PETITIONER'S SUPPLEMENT TO TESTIMONY OF ANDREW CONNER

Petitioner, Town of Huntertown, Indiana ("Petitioner" or "Huntertown") hereby submits the attached signed Verification of Andrew Conner, as well as a change to an exhibit designation to avoid multiple copies of the same exhibit.

Respectfully submitted,

By:

Nicholas K. Kile, Atty No. 15203-53

Barnes & Thornburg LLP 11 South Meridian Street Indianapolis, Indiana 46204 Telephone: (317) 231-7768

Fax: (317) 231-7433

Email: nicholas.kile@btlaw.com

Robert M. Glennon Robert Glennon & Associates, P.C. 3697 N. County Road 500 East Danville, Indiana 46122 David K. Hawk Hawk Haynie Kammeyer & Smith, LLP 116 E. Berry Street Lincoln Tower, Suite 302 Fort Wayne, Indiana 46802

Attorneys for Petitioner Town of Huntertown, Indiana

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served this 1st day of

February, 2016, by electronic transmission to the following:

Daniel M. LeVay, Deputy Consumer Counselor Office of the Utility Consumer Counselor PNC Center
115 W. Washington Street,
Suite 1500 South
Indianapolis, Indiana 46204
infomgt@oucc.in.gov
dlevay@oucc.in.gov

Robert M. Glennon Robert Glennon & Associates, P.C. 3697 N. County Road 500 East Danville, IN 46122 glennon@iquest.net

David K. Hawk
Hawk Haynie Kammeyer & Smith, LLP
116 E. Berry Street
Lincoln Tower, Suite 302
Fort Wayne, IN 46802
dkhawk@hawkhaynie.com

Robert T. Keen, Jr.
Michael Michmerhuizen
Thomas M. Niezer
Barrett & McNagny LLP
215 East Berry Street
P.O. Box 2263
Fort Wayne, IN 46801-2263
rtk@barrettlaw.com
mhm@barrettlaw.com
tmn@barrettlaw.com

Vincent J. Heiny Haller & Colvin, P.C. 444 East Main Street Fort Wayne, IN 46802 vheiny@hallercolvin.com

Nicholas K. Kile

Verified Settlement Testimony of Andrew Conner On Behalf of Petitioner, Town of Huntertown, Indiana Cause No. 44519 Page No. 5

| 1 | <u>VERIFICATION</u> |
|---|-----------------------------------------------------------------------------------------|
| 2 | |
| 3 | The undersigned affirms under the penalties for perjury that the foregoing testimony is |
| 4 | true and correct to the best of his knowledge, information and belief. |
| 5 | |
| 6 | |
| 7 | |
| 8 | Inha Connu |
| 9 | By. Andrew Conner |

Verified Settlement Testimony of Andrew Conner On Behalf of Petitioner, Town of Huntertown, Indiana Cause No. 44519 Page No. 1

| 1 Q1. PLEASE STATE YOUR NAME AND BUSINESS ADDR | ₹ESS. |
|------------------------------------------------|-------|
|------------------------------------------------|-------|

- 2 A. My name is Andrew Conner. My business address is 10339 Dawsons Creek Blvd, Ste D,
- 3 Fort Wayne, IN 46825.
- 4 O2. WHAT IS YOUR RELATIONSHIP TO THE TOWN OF HUNTERTOWN?
- 5 A. I am the President of the Utility Service Board of the Town of Huntertown, Indiana (the
- 6 "Town" or "Huntertown").
- 7 Q3. ARE YOU THE SAME ANDREW CONNER THAT PREVIOUSLY SPONSORED
- 8 TESTIMONY IN THIS CAUSE?
- 9 A. Yes, I am.
- 10 Q4. WHAT IS THE PURPOSE OF YOUR TESTIMONY AT THIS STAGE OF THE
- 11 **PROCEEDING?**
- 12 A. The purpose of my current testimony is to offer evidence in support of the Joint
- Stipulation and Settlement Agreement ("Settlement Agreement" or "Settlement"), which was floor or December 9, 2015.
- 14 is my Attachment A.
- 15 O2. WHAT IS THE BACKGROUND OF THE SETTLEMENT AGREEMENT?
- 16 A. The Commission's May 20, 2015 Order ("Order") speaks for itself. However, a brief
- overview of what the Order did will set the background for the Settlement Agreement.
- The Order set the rates and charges Fort Wayne was to bill Huntertown and the parameters
- for Fort Wayne's collection of area connection fees. <u>Id.</u> at 30-31.The Order approved
- 20 Huntertown's water and wastewater Reduced Service Areas, including the Whisper Rock
- and Timber Ridge subdivisions. Id. at 62-63. The Order also provided certain details