

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES )  
THROUGH THE SMALL UTILITY ) CAUSE NO. 46084-U  
PROCEDURE PURSUANT TO IND. CODE § )  
8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )

**REPORT OF THE INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR**

In accordance with 170 IAC 14-1-4(a), the Indiana Office of Utility Consumer Counselor ("OUCC"), by counsel, hereby submits its Report consisting of the testimonies, including attachments, of Thomas W. Malan (Public's Exhibit No. 1), Kristen Willoughby (Public's Exhibit No. 2), and Shawn Dellinger (Public's Exhibit No. 3), and Consumer Comments (Public's Exhibit No. 4).

Respectfully submitted,

INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR



---

Daniel M. Le Vay, Attorney No. 22184-49  
Deputy Consumer Counselor  
**OFFICE OF UTILITY CONSUMER COUNSELOR**  
115 W. Washington St., Suite 1500 South  
Indianapolis, IN 46204  
Email: [dlevay@oucc.in.gov](mailto:dlevay@oucc.in.gov)

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the *Report of the Indiana office of Utility Consumer Counselor* has been served upon the following captioned proceeding by electronic service on September 18, 2024.

Attorneys for Eastern Heights.:

Nikki G. Shoultz  
Kristina K. Wheeler  
Allie Jones  
**BOSE MCKINNEY & EVANS LLP**  
111 Monument Circle, Suite 2700  
Indianapolis, IN 46204  
Email: [nshoultz@boselaw.com](mailto:nshoultz@boselaw.com)  
[kwheeler@boselaw.com](mailto:kwheeler@boselaw.com)  
[ajones@boselaw.com](mailto:ajones@boselaw.com)

Chris Wilson – General Manager  
**EASTERN HEIGHTS UTILITIES, INC.**  
316 N. Washington Street  
P.O. Box 8  
Bloomfield, Indiana 47424  
Email: [ehuwater@wispaninternet.com](mailto:ehuwater@wispaninternet.com)



---

Daniel M. Le Vay  
Deputy Consumer Counselor

**INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR**

115 West Washington Street  
Suite 1500 South  
Indianapolis, IN 46204  
[infomgt@oucc.in.gov](mailto:infomgt@oucc.in.gov)  
317/232-2494 – Phone  
317/232-5923 - Facsimile

**STATE OF INDIANA**

**INDIANA UTILITY REGULATORY COMMISSION**

**APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES )  
THROUGH THE SMALL UTILITY ) CAUSE NO. 46084-U  
PROCEDURE PURSUANT TO IND. CODE § )  
8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )**

**PUBLIC'S EXHIBIT NO. 1**

**TESTIMONY OF THOMAS W. MALAN**

**ON BEHALF OF**

**THE INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR**

**September 18, 2024**

**TESTIMONY OF OUCC WITNESS THOMAS W. MALAN  
CAUSE NO. 46084-U  
EATERN HEIGHTS UTILITIES, INC.**

**I. INTRODUCTION**

1 **Q: Please state your name and business address.**

2 A: My name is Thomas W. Malan, and my business address is 115 W. Washington  
3 St., Suite 1500 South, Indianapolis, IN 46204.

4 **Q: By whom are you employed and in what capacity?**

5 A: I am employed by the Indiana Office of Utility Consumer Counselor (“OUCC”) as  
6 a Utility Analyst with the Water/Wastewater Division. My qualifications and  
7 experience are set forth in Appendix A.

8 **Q: What is the purpose of your testimony?**

9 A: On June 6, 2024, Eastern Heights Utilities, Inc. (“Eastern Heights” or “Applicant”)  
10 filed a small utility rate application seeking an across-the-board 59.40% rate  
11 increase to produce an additional \$1,586,892 of operating revenue. I present the  
12 OUCC’s schedules and recommend an overall rate increase of 43.02% to produce  
13 an additional \$1,164,636 of operating revenue. I present the OUCC’s recommended  
14 revenue and expense adjustments. I explain why no working capital revenue  
15 requirement is necessary in this case. I explain the OUCC’s proposed \$50,000  
16 reduction to Applicant’s annual extensions & replacements (E&R) revenue  
17 requirement to reflect the use of funds set aside for capital projects.



1 **Q: If your testimony does not address a topic, issue, or item, should it be construed**  
2 **to mean you agree with Applicant's proposal?**

3 A: No. My silence on any issue or matter should not be construed as an endorsement.

4 Also, my silence in response to any actions or adjustments stated or implied by  
5 Applicant should not be construed as an endorsement.

6 **Q: Describe the review and analysis you performed.**

7 A: I reviewed Eastern Heights's Small Utility Rate Application ("Application") and  
8 workpapers. I reviewed Applicant's 2014 - 2023 IURC annual reports. I prepared  
9 discovery questions and reviewed Applicant's responses. I participated in an on-  
10 site accounting review on July 15 and 16, 2024. I attended the field hearing  
11 conducted by the Indiana Utility Regulatory Commission ("Commission" or  
12 "IURC") on September 5, 2024. I reviewed the Commission's final order from  
13 Applicant's last rate case (Cause No. 44986). I conducted informal discovery and  
14 participated in phone calls with Applicant's rate consultant and Office Manager.

15 **Q: Who else will testify on behalf of the OUCC?**

16 A: OUCC witness Shawn Dellinger discusses Applicant's debt service and debt  
17 service reserve revenue requirements. OUCC witness Kristen Willoughby testifies  
18 about Applicant's extensions and replacements, periodic maintenance, and water  
19 loss.

20 **Q: What schedules and attachments are submitted with your testimony?**

21 A: I include the following schedules and attachments:

22 Schedule 1 – Comparison of Revenue Requirements (page 1)

23 Comparison of Net Operating Income Adjustments (page 2)

24 Schedule 2 – Comparative Balance Sheet as of December 31, 2023, 2022, and 2021

25 Schedule 3 – Comparative Income Statement for the Twelve Months Ended  
26 December 31, 2023, 2022, and 2021.

- 1 Schedule 4 – *Pro Forma* Net Operating Income Statement
- 2 Schedule 5 – OUCC Revenue Adjustments
- 3 Schedule 6 – OUCC Expense Adjustments
- 4 Schedule 7 – Extensions & Replacements
- 5 Schedule 8 – Working Capital
- 6 Schedule 9 – Debt Service
- 7 Schedule 10 – Debt Service Reserve
- 8 Schedule 11 – Tariff
- 9 OUCC Attachment TWM-1 – Applicant Responses to OUCC Data Request No. 4-1
- 10 OUCC Attachment TWM-2 – Applicant's redacted test year legal invoices
- 11 OUCC Attachment TWM-3 – Applicant Responses to OUCC Data Request No. 3-7
- 12 OUCC Attachment TWM-4 – Applicant Responses to OUCC Data Request No. 3-1

## **II. PROPOSED RATES**

### **A. Eastern Heights's Case**

- 13 **Q: Please describe Eastern Heights Utility.**
- 14 A: Eastern Heights is a not-for-profit water utility located in Bloomfield in Greene
- 15 County, Indiana providing service to approximately 7,500 customers in six
- 16 counties. Eastern Heights' last rate order was issued in Cause No. 45435-U on April
- 17 7, 2021.
- 18 **Q: Please describe Eastern Heights' proposed rate increase?**
- 19 A: Eastern Heights seeks a 59.40% across-the-board rate increase to generate
- 20 \$1,586,892 of additional annual operating revenue. Eastern Heights's proposed rate
- 21 increase is based on a twelve-month historical test year ending December 31, 2023
- 22 reflecting increased operating expenses, increased extensions and replacements
- 23 expenditures, and increased debt service expense. If approved, a residential

1 customer using 4,000 gallons of water per month will see their monthly bill increase  
2 from \$23.34 to \$37.21.

### B. OUCC's Case

3 **Q: What rate increase does the OUCC recommend?**

4 A: The OUCC recommends an across-the-board rate increase of 43.02% to produce  
5 additional annual revenues of \$1,164,636. While Petitioner proposes a residential  
6 customer now paying \$23.34 per month would pay \$37.21 for the same 4,000  
7 gallons, the OUCC's recommendations would result in the same customer paying  
8 \$33.38. Table 1 compares the OUCC's and Applicant's recommended rate increase  
9 and underlying revenue requirements.

**Table 1: Revenue Requirement Comparison**

	<u>Per Applicant</u>	<u>Per OUCC</u>	<u>Sch Ref</u>	<u>OUCC More (Less)</u>
Operating Expenses	\$ 2,775,257	\$ 2,671,167	4	\$ (104,090)
Payroll Taxes	64,326	56,585	4	(7,741)
Extensions and Replacements	792,483	697,250	7	(95,233)
Working Capital	107,079	-	8	(107,079)
Debt Service	515,141	515,541	9	400
Debt Service Reserve	63,403	-	10	(63,403)
Total Revenue Requirements	4,317,689	3,940,543		(377,146)
Less: Interest Income	(26,626)	(26,626)	3	-
Other Income Below the line	-	(7,023)	3	(7,023)
Net Revenue Requirements	4,291,063	3,906,894		(384,169)
Less: Rev @ current rates subj to increase	(2,671,325)	(2,706,916)	4	(35,591)
Other revenues at current rates	(42,896)	(42,896)	4	-
Net Revenue Increase	1,576,842	1,157,082		(419,760)
Add: Additional IURC Fees	2,318	1,739		(579)
Additional Bad Debt Expense	7,733	5,815		(1,918)
Recommended Increase	\$ 1,586,892	\$ 1,164,636		\$ (421,678)
Recommended Percentage Increase	<u>59.40%</u>	<u>43.02%</u>		<u>-16.38%</u>

### III. OPERATING REVENUES

1 **Q: What amount of operating revenues did Applicant propose?**

2 A: Eastern Heights proposed *pro forma* present rate operating revenues of \$2,714,221,  
3 which is a \$3,263 decrease from test year operating revenues of \$2,717,484.  
4 Applicant's \$3,263 decrease derives from three adjustments to operating revenues:  
5 (1) a \$10,991 *decrease* to normalize residential water sales, (2) a \$3,404 *increase*  
6 to normalize commercial water sales due to test year customer growth, and (3) a  
7 \$4,324 *increase* to rental income.

8 **Q: Do you accept Applicant's proposed operating revenue adjustments?**

9 A: I accept Applicant's commercial water sales adjustment to normalize customer  
10 growth during the test year and the increase to rental income. But I do not accept  
11 Applicant's \$10,991 decrease to normalize residential water sales due to a  
12 purported decrease in test year residential customer count.

13 **Q: Why do you disagree with Applicant's residential customer normalization**  
14 **adjustment?**

15 A: I disagree with Applicant's residential customer normalization adjustment because  
16 the residential customer counts Applicant used to calculate its adjustment were  
17 incorrect. Applicant's response to OUCC Data Request No. 4-1 (OUCC  
18 Attachment TWM-1) identified the correct residential customer counts to be used  
19 for the normalization adjustment. The corrected residential customer counts  
20 (January 2023 – May 2024) provided by Applicant reflect an increase in both test  
21 year and post-test year residential customer counts.

1 **Q: What amount of operating revenues do you recommend?**

2 A: As reflected in Table 2 below, I recommend *pro forma* operating revenues of  
3 \$2,749,812, which is a \$32,328 increase over test year operating revenue of  
4 \$2,717,484.

**Table 2: Comparison of Proposed Operating Revenue Adjustments**

	<u>Per Applicant</u>	<u>Per OUCC</u>	<u>OUCC More (Less)</u>
Water Sales			
Residential - Test Year	\$ (10,991)	\$ 15,058	\$ 26,049
Residential - Post Test Year	-	9,542	9,542
Commercial	3,404	3,404	-
Miscellaneous Service Revenues	4,324	4,324	-
<b>Total</b>	<b>\$ (3,263)</b>	<b>\$ 32,328</b>	<b>\$ 35,591</b>

**A. Test Year Residential Customer Normalization**

5 **Q: What test year residential customer normalization adjustment do you**  
6 **recommend?**

7 A: I recommend a \$15,058 *increase* to test year residential operating revenues to  
8 reflect residential customer growth during the test year.

9 **Q: How did you derive your residential customer normalization adjustment?**

10 A: My adjustment incorporated the corrected residential test year customer counts  
11 provided in response to OUCC DR 4-1 (OUCC Attachment TWM-1) First, I re-  
12 calculated the average residential customer bill during the test year by dividing test  
13 year residential sales of \$2,345,852 by the total corrected number of test year  
14 residential billings of 86,135 to yield an average residential customer bill of \$27.23  
15 per month. Next, I determined the net additional annual billings that result due to

1 test year customer growth. I calculated this amount by first multiplying the total  
2 number of residential customers at the end of the test year (7,224) by 12 months,  
3 which established that 86,688 (7,224 x 12) residential customer bills would have  
4 resulted if all residential customers as of 12/31/2023 had been billed for the entire  
5 year. I then subtracted the actual number of test year residential bills to determine  
6 that 553 (86,688 – 86,135) additional residential customer bills result from test year  
7 customer growth. I then multiplied the 553 net increase in the number of billings  
8 by the average residential monthly bill of \$27.23. Using this methodology, I  
9 determined that for ratemaking purposes Eastern Heights would receive an  
10 additional \$15,058 per year in revenue due to test year residential customer growth  
11 (553 bills x \$27.23 average bill per month = \$15,058). (See OUCC Schedule 5,  
12 Adjustment No. 1.)

**Table 3: OUCC Residential Normalization Adjustment**

Customer Count 12/31/2023	7,224
Times: 12 Months	<u>12</u>
Total Customer Billings	86,688
Less: Accual Residential Test Year Billings	<u>86,135</u>
Net Increase in Customer Billings	553
Times: Average Residential Customer Bill	<u>\$ 27.23</u>
<b>Increase to Residential Water Revenues</b>	<b><u>\$ 15,058</u></b>

**B. Post-Test Year Customer Growth**

13 **Q: What post-test year residential customer growth adjustment do you**  
14 **recommend?**  
15 **A:** I recommend a \$9,542 increase to residential customer revenues. Customer billing  
16 determinants through July 2024, provided in response to OUCC DR No. 4-1,

1 showed Applicant continued to experience customer growth in its residential  
2 customer class during the twelve-month adjustment period. Therefore, a post-test  
3 year customer growth adjustment is justified.

4 **Q: How did you calculate your post-test year customer growth adjustment?**

5 A: I used a methodology similar to that used to calculate the test year residential  
6 customer growth adjustment. I determined the net additional annual bills resulting  
7 from post-test year customer growth by subtracting the December 31, 2023  
8 customer count (7,224) from the July 31, 2024 customer count (7,253) to arrive at  
9 the number of residential customers added during the adjustment period (29). I  
10 then multiplied the number of residential customers added during the adjustment  
11 period by 12 months to arrive at the net increase in annual residential customer  
12 billings (348) due to customer growth. I then multiplied the net increase in  
13 residential customer billings by the post-test year average residential customer bill  
14 (\$27.42) to determine the increase to residential water revenues of \$9,542. (See  
15 OUCC Schedule 5, Adjustment No. 2.)

**Table 4: OUCC Post-Test Year Residential Customer Growth**

Customer Count 7/31/2024	7,253
Less: Customer Count 12/31/2023	<u>7,224</u>
Customers added in adjustment Per	29
Times: 12 Months	<u>12</u>
Net Increase in Customer Billings	348
Times: Average Residential Customer Bill	\$ 27.42
<b>Increase to Residential Water Revenues</b>	<b><u>\$ 9,542</u></b>

#### IV. OPERATING EXPENSES

1 **Q: What level of operating expense did Eastern Heights propose?**

2 A: Eastern Heights proposed *pro forma* operating expense of \$2,839,583<sup>1</sup>, including  
3 payroll taxes, which is an increase of \$349,530 over test year operating expense of  
4 \$2,490,053.

5 **Q: What operating expense adjustments did Eastern Heights propose?**

6 A: Eastern Heights proposed twelve test year operating expense adjustments,  
7 including adjustments to salaries and wages expense, employee benefits expense,  
8 system delivery expense, periodic maintenance expense, insurance expense, rate  
9 case expense, postage expense, and payroll tax expense.

10 **Q: Does the OUCC accept all of Applicant's operating expense adjustments?**

11 A: No. The OUCC accepts Applicant's adjustments to insurance expense, employee  
12 related expense, and postage expense<sup>2</sup>. However, the OUCC disagrees with  
13 Applicant's adjustments to salaries and wages expense, payroll tax expense,  
14 employee benefits expense, system delivery expense, rate case expense, and  
15 periodic maintenance expense.

16 **Q: Do you recommend any additional operating expense adjustments?**

17 A: Yes. I recommend an adjustment to amortize the costs incurred to prepare  
18 Applicant's asset management plan over the estimated useful life of the plan. I also

---

<sup>1</sup> Total Operating expenses does not include depreciation expense.

<sup>2</sup> Applicant proposed two postage expense adjustments – a postage rate increase (\$2,583) and a decrease to reflect Applicant's revenue normalization adjustments (\$-230). I accept Applicant's proposed postage rate increase adjustment but recommend my own system delivery expense adjustment to reflect increased operating expenses to my recommended revenue normalization adjustments.



1 recommend an adjustment to remove nonrecurring and out of period legal fees  
2 recorded during the test year.

3 **Q: What level of operating expenses does the OUCC recommend?**

4 A: The OUCC recommends *pro forma* operating expense of \$2,727,752. This is an  
5 increase of \$237,699 over test year operating expenses of \$2,490,053. Table 5  
6 compares the operating expense adjustments recommended by the OUCC to those  
7 proposed by Applicant.

**Table 5: Comparison of Proposed Operating Expense Adjustments**

	<u>Per Applicant</u>	<u>Per OUCC</u>	<u>OUCC More (Less)</u>
O&M Expense			
Salaries and Wages	\$ 101,204	\$ 64,457	\$ (36,747)
Employee Benefits	64,161	61,405	(2,756)
Purchased Power	6,809	6,809	-
Chemicals	479	479	-
Periodic Maintenance	133,059	108,526	(24,533)
Asset Management Plan	-	12,600	12,600
Contractual Serv - Legal			
Out of period	-	(18,891)	(18,891)
Non-recurring	-	(5,502)	(5,502)
System Delivery	(1,361)	3,563	4,924
Insurance	(17,225)	(17,225)	-
Rate case expense	48,333	15,000	(33,333)
Regulatory	192	340	148
Miscellaneous Expense	5,860	5,860	-
Payroll Taxes	8,019	278	(7,741)
Total Operating Expense	<u>\$ 349,530</u>	<u>\$ 237,699</u>	<u>\$ (111,831)</u>

**A. Salaries and Wages**

8 **Q: What adjustment to salaries and wages expense did Applicant propose?**

9 A: Applicant proposed an adjustment to increase salaries and wages expense by  
10 \$101,204 to reflect increased employee salaries. Applicant calculated *pro forma*  
11 salaries and wages expense of \$776,418 reduced by test year expense of \$675,214

1 to calculate its adjustment of \$101,204 ( $\$776,418 - 675,214 = \$101,204$ ), as  
2 reflected in its small utility application (Schedule 6 (a) of Application).

3 **Q: Do you accept Applicant's salaries and wages expense adjustment?**

4 A: No. Applicant included in its adjustment a wage increase that has not yet been  
5 considered or approved by the board and which will not be implemented before the  
6 end of 2024, which is outside the adjustment period. Further, Applicant's  
7 adjustment is based on an estimated salary increase of 6% for each employee.  
8 Consequently, Applicant's adjustment does not meet the standard of being fixed in  
9 time, known to occur, or measurable in amount and occurring within twelve months  
10 of the end of the test year.

11 **Q: What adjustment to salaries and wages expense do you recommend?**

12 A: I recommend a \$64,457 increase to test year salaries and wages expense to  
13 recognize increases in employee salaries that occurred during the test year or the  
14 twelve-month adjustment period. I calculated Applicant's *pro forma* salaries and  
15 wages expense as \$739,671 using the July 2024 payroll register. I then subtracted  
16 test year expense of \$675,214, resulting in an adjustment of \$64,457 ( $\$739,671 -$   
17  $675,214 = \$64,457$ ). (See OUCC Schedule 6, Adjustment No. 1.)

18 **B. Payroll Tax Expense**

19 **Q: What payroll tax expense adjustment did Applicant propose?**

20 A: Applicant proposed *pro forma* payroll tax expense of \$64,326, an increase of  
21 \$8,019 over test year expense.

22 **Q: What payroll tax expense adjustment do you recommend?**

23 A: I recommend a \$278 increase to test year payroll tax expense.

1 **Q: Please explain how you calculated your adjustment to payroll taxes expense.**

2 A: Payroll tax expense consists of a Social Security Tax at 6.2% of gross wages and a  
3 Medicare tax at 1.45% of gross wages, or a total of 7.65%. I multiplied 7.65% by  
4 my recommended *pro forma* salaries and wages expense of \$739,671 resulting in a  
5 total payroll tax expense of \$56,585. I then reduced *pro forma* payroll tax expense  
6 by test year expense to calculate a \$278 adjustment ( $\$56,585 - \$56,307 = \$278$ .  
7 (See OUCC Schedule 6, Adjustment No. 10.)

### C. Employee Benefits

8 **Q: What adjustment did Applicant propose to employee benefits expense?**

9 A: Applicant proposed a \$64,161 increase to employee benefits expense. Applicant  
10 accurately calculated a \$59,296 increase to employee insurance expense. Applicant  
11 calculated an increase to retirement benefit expense of \$4,865. Applicant  
12 multiplied its *pro forma* payroll of \$776,418 by the retirement benefit rate of 7.5%  
13 and then reduced that value by test year expense of \$53,366 yielding an increase of  
14 \$4,865 ( $\$776,416 \times 7.50\% = 58,231 - 53,366 = \$4,865$ ).

15 **Q: Do you accept Applicant's adjustment to increase employee benefits expense?**

16 A: No. While I accept Applicant's \$59,296 increase for employee insurance expense,  
17 I used my *pro forma* salaries and wages expense of \$739,671 to calculate retirement  
18 benefit expense of \$55,475 ( $\$739,671 \text{ times } 7.50\%$ ). Therefore, I recommend a  
19 \$61,405 increase to Applicant's test year employee benefits expense of \$433,650.  
20 My adjustment includes the \$59,296 increase to employee insurance expense plus

1 a \$2,109 increase to retirement benefit expense ( $\$59,296 + 2,109 = \$61,405$ ). (See  
2 OUCC Schedule 6, Adjustment No. 2.)

**D. System Delivery Expense**

3 **Q: What is a system delivery adjustment?**

4 A: A system delivery adjustment captures the increase or decrease in variable  
5 operating expenses related to an increase or decrease in (1) the amount of water  
6 sold or processed and (2) the number of customer billings. These variable costs  
7 include purchased water, purchased power, chemicals, and postage.

8 **Q: Did Applicant propose a system delivery adjustment?**

9 A: Yes. Applicant's system delivery expense adjustment is reflected as separate  
10 adjustments to purchased power expense, chemical expense and postage expense  
11 (Schedules 6(d) and 6(e) of the Application). Applicant proposed a \$1,361 decrease  
12 to operating expenses to reflect decreased costs related to its proposed residential  
13 revenue normalization adjustment. Applicant's adjustment consisted of a \$844  
14 decrease to purchased power expense, a \$287 decrease to chemical expense, and a  
15 \$230 decrease to postage expense.

16 **Q: Do you accept Applicant's system delivery adjustment?**

17 A: No. Because I disagree with Applicant's proposed residential normalization  
18 adjustments, I disagree with Applicant's proposed system delivery adjustment. My  
19 recommended system delivery adjustment reflects my recommended revenue

1 normalization adjustments, including my recommended post-test year residential  
2 normalization adjustment.

3 **Q: What system delivery adjustment do you recommend?**

4 A: I recommend a \$3,563 increase to operating expenses to reflect increased costs  
5 related to customer growth during and after the test year. (See OUCC Schedule 6,  
6 Adjustment No. 9.)

7 **Q: How did you calculate your system delivery adjustment?**

8 A: I calculated my system delivery adjustment on a cost per bill basis, which is the  
9 same method Applicant used to calculate its adjustment. I determined the cost per  
10 bill and then multiplied this cost by the total additional billings resulting from my  
11 recommended customer growth normalization adjustments.

12 **Q: How many total additional billings do you recommend based on your customer  
13 growth normalization adjustments?**

14 A: Based on my recommended customer growth normalization adjustment, I  
15 calculated an additional 940 customer billings resulting from test year and post-test  
16 year customer growth.

**Table 6: Additional Billings**

Additional Test Year Residential	553
Additional Post-Test Year Residential	348
Additional Test Year Commercial	<u>39</u>
<b>Total Additional Billings</b>	<b><u>940</u></b>

**Table 7: Total Billing Cost**

Variable Cost per Bill	\$	3.06	
Postage Cost		<u>0.73</u>	
Total Cost Per Billing	\$		3.79
Times: Additional Billings			<u>940</u>
<b>System Delivery Adjustment</b>	<b>\$</b>		<b><u>3,563</u></b>

1 **Q: How did you calculate your cost per billing?**

2 A: I took total purchased power and chemical expense and divided by total test year  
3 billings of 88,790, resulting in a cost per bill of \$3.06 before considering postage  
4 costs. I then added \$0.73 for postage, resulting in a total cost of per bill of \$3.79.

**Table 8: OUCC Calculation of Cost Per Bill**

Purchased Power Expense	\$	203,004	
Chemical Expense		<u>68,988</u>	
			<u>271,992</u>
Total Test Year Billings		<u>88,790</u>	
Variable Cost Per Bill	\$		3.06
Postage			<u>0.73</u>
<b>Total Cost Per Bill</b>	<b>\$</b>		<b><u>3.79</u></b>

**E. Rate Case Expense**

5 **Q: What rate case expense adjustment did Eastern Heights propose?**

6 A: Applicant proposed recovery of \$145,000 of rate case expense over the three-year  
7 life of rates, or \$48,333 annually.

8 **Q: Please explain why you do not accept Applicant's proposed adjustment for**  
9 **rate case expense.**

10 A: I do not accept Applicant's adjustment for rate case expense because the \$145,000  
11 Applicant seeks to recover for this Cause does not reflect a reasonable cost for rate  
12 case expense for this small utility rate application filing.

1 **Q: Why do you consider the proposed rate case costs to be unreasonable?**

2 A: A small utility filing is a simplified rate case process, and it is intended to  
3 significantly reduces the cost of seeking a rate increase for small utilities. The  
4 Commission provides rate case schedules already populated with the utility's most  
5 recently available financial and accounting data. The utility only needs to input the  
6 applicable adjustments to calculate its proposed rate increase. By design, a small  
7 utility rate application does not require the utility to hire an attorney or a rate  
8 consultant to prepare case-in-chief testimony. Further, Commission staff will assist  
9 the small utility applicant in completing the necessary forms. Therefore, the costs  
10 to file a small utility rate application should be considerably less than the costs  
11 incurred to file a regular rate case. Also, a small utility rate application does not  
12 require testimony from the applicant and there generally is no evidentiary hearing.

13 **Q: What do you recommend for rate case expense?**

14 A: I recommend the Commission allow Applicant to recover \$45,000 (\$15,000  
15 annually) for rate case expense over the expected life of its rates, which I consider  
16 to be three years. This will allow Applicant to recover what the OUCC believes to  
17 be a more reasonable and accurate level of expense than what was requested. (See  
18 OUCC Schedule 6, Adjustment No. 7.)

19 **Q: Should there be a rate impact once the Applicant has recovered the rate case**  
20 **expense authorized by the Commission?**

21 A: Yes. The Commission should require Applicant to reduce rates once the rate case  
22 expense allowed in this case has been recovered through rates.

**F. Periodic Maintenance Expense**

1 **Q: Did Applicant propose an adjustment to periodic maintenance expense?**

2 A: Yes. Applicant proposed a \$133,059 increase for periodic maintenance expense to  
3 be used for (1) tank painting, cleaning and inspection, (2) well cleaning and well  
4 maintenance, and (3) booster pump maintenance. (Application Schedule 6 (f)).

5 **Q: Does the OUCC accept Applicant's adjustment to increase periodic**  
6 **maintenance expense?**

7 A: No. The OUCC does not accept Applicants adjustment for tank painting, cleaning  
8 and inspection. As explained more fully in the testimony of OUCC witness Kristen  
9 Willoughby, the OUCC excluded the costs associated with painting the 96,000-  
10 gallon Bloomfield Cistern, reducing the *pro forma* annual tank painting and  
11 cleaning cost from \$343,467 to \$318, 933. To that end, the OUCC recommends a  
12 \$108,526 increase to test year periodic maintenance expense. (See Table 9 below.)

13 **Q: Should any restrictions on be placed on funds for periodic maintenance?**

14 A: Yes. The practice of periodically and systematically maintaining system assets is  
15 crucial to ensuring utility assets have full useful lives and are not prematurely  
16 retired. Appropriate periodic maintenance maintains the affordability of utility  
17 services by avoiding or delaying the need to complete expensive, unplanned repairs  
18 and replacements. Requiring utilities to set periodic maintenance funds aside and  
19 restricting use of such funds to performing periodic maintenance on its tanks will  
20 ensure that these funds are available for use as needed. I recommend the  
21 Commission require Applicant to annually set aside \$318,933 and restrict the use  
22 of such funds to the painting, cleaning, and inspection of its water storage tanks.



1 Applicant should also provide a report on these funds as part of its annual IURC  
2 report filing describing expenditures, the amount set aside, and the balance.

**Table 9: Periodic Maintenance Expense Adjustment Comparison**

	<u>Per Applicant</u>	<u>Per OUCC</u>	<u>OUCC More (Less)</u>
(1) Tank Painting/Cleaning	\$ 5,152,000	\$ 4,784,000	\$ (368,000)
Amortizations (years)	15	15	
	<u>343,467</u>	<u>318,933</u>	<u>(24,534)</u>
(2) Wells Cleanings and Well Pump Maintenance	300,000	300,000	-
Amortizations (years)	5	5	
	<u>60,000</u>	<u>60,000</u>	-
(3) Booster Pumps	23,418	23,418	-
Amortizations (years)	5	5	
	<u>4,684</u>	<u>4,684</u>	-
Total Yearly Expense	408,150	383,617	(24,533)
Less: Test year Expense	275,091	275,091	-
<b>Proposed Adj.</b>	<b><u>\$ 133,059</u></b>	<b><u>\$ 108,526</u></b>	<b><u>(24,533)</u></b>

3 **Q: Should there be any restrictions on the funds collected for tank painting?**  
4 **A:** Yes. OUCC witness Kristen Willoughby recommends the Commission require  
5 Applicant to annually set aside \$318,933 and restrict the use of such funds to the  
6 painting, cleaning, and inspection of its water storage tanks. Ms. Willoughby  
7 explains that periodically and systematically maintaining system assets is crucial to  
8 ensuring utility assets have full useful lives and requiring utilities to set periodic  
9 maintenance funds aside will ensure this.

**G. Asset Management Plan**

10 **Q: What adjustment does the OUCC recommend?**  
11 **A:** Applicant included \$21,000 in its annual extensions and replacement (E&R)  
12 revenue requirement to amortize over three years \$63,000 of costs for the

1 preparation of an asset management plan. The Asset Management Plan was  
2 completed in June 2024, after the end of the test year. As discussed by OUCC  
3 witness Kristen Willoughby, the OUCC recommends removing this cost from the  
4 extensions and replacements revenue requirement and amortizing the cost over five  
5 years. Therefore, the OUCC recommends an increase to operating expense of  
6 \$12,600 ( $\$63,000 / 5$  years) to reflect the amortization of Applicant's asset  
7 management plan. (See OUCC Schedule 6, Adjustment No. 4.)

8 **Q: Should there be a rate impact once the Applicant has recovered the asset**  
9 **management plan expense allowed in this Proposal?**

10 A: Yes. The Commission should require Applicant to reduce rates once the asset  
11 management plan expense allowed in this case has been recovered through rates.

#### **H. Contractual Services – Legal Expenses**

12 **Q: What legal expense did Applicant include in its revenue requirement?**

13 A: Applicant included \$56,016 of test year legal expense.

14 **Q: Did you identify any legal expense that is not eligible for recovery in rates?**

15 A: Yes. During my review of test year legal expense, I found a payment to Todd R.  
16 Corn Legal for costs that occurred outside of the test year and expenses paid to  
17 Bose McKinney & Evans and McGlasson & Seifers that were for non-recurring  
18 charges associated with a special project. Therefore, I recommend two adjustments  
19 to Applicant's test year legal expense. First, I recommend an \$18,891 reduction for  
20 58.125 hours of legal services appearing on the Todd R. Corn invoice dated April  
21 30, 2023. (See OUCC Attachment TWM-2 and OUCC Schedule 6, Adjustment No.  
22 5.) These charges were incurred before the test year (between 07/05/2022 and

1 12/2/2022) and therefore should not be considered a test year expense.<sup>3</sup> Further, as  
2 test year legal expense already included all legal costs for 2023, inclusion of these  
3 costs would allow Applicant to over-recover its legal expenses, (See OUCC  
4 Schedule 6, Adjustment No. 6.)

## V. EXTENSIONS AND REPLACEMENTS

5 **Q: What level of extensions and replacements (E&R) did Applicant propose as**  
6 **part of its revenue requirement?**

7 A: Applicant proposed \$792,483 be included annually as part of its annual revenue  
8 requirement.

9 **Q: What level of E&R does the OUCC recommend?**

10 A: The OUCC recommends Applicant's annual E&R revenue requirement be set at  
11 \$697,250. (See OUCC Schedule 7.) To arrive at that proposed E&R revenue  
12 requirement, the OUCC did not include in its calculation the cost of the SCADA  
13 system upgrade, which has already been completed, or the cost of producing  
14 Applicant's asset management plan, which is an operating expense as I discussed  
15 above. I also removed \$50,000 of the yearly E&R revenue requirement to reflect  
16 the application of funds Applicant has set aside for capital projects.

17 **Q: Please explain why the OUCC excluded the SCADA system upgrade cost from**  
18 **the calculation of E&R.**

19 A: In its response to OUCC Data Request 3-1, Applicant advised that the SCADA  
20 System Upgrade had been completed and paid for as of May 2024. (See OUCC

---

<sup>3</sup> These costs also included \$5,502 of legal costs related to a non-recurring special project, which is an additional reason to exclude them from Applicant's *pro forma* operating expenses.

1 Attachment TWM-4.) Consequently, it should not be included in Applicant's  
2 calculation of its prospective E&R revenue requirement.

3 **Q: Please explain why the OUCC excluded the asset management plan from its**  
4 **calculation of projected E&R costs.**

5 A: An asset management plan is not a capital project. Rather, the cost of producing it  
6 is an operating expense. Moreover, the asset management plan has also already  
7 been completed. Therefore, it could not be used to justify a prospective E&R  
8 revenue requirement. (As I explained above, the OUCC does not oppose Applicant  
9 recovering the cost of producing its asset management plan through amortization  
10 over a five-year period.) I removed the \$63,000 cost associated with the asset  
11 management plan from E&R. (See OUCC Schedule 6, Adjustment No. 4.)

12 **Q: Please explain why you removed \$50,000 from Applicant's annual E&R**  
13 **revenue requirement.**

14 A: As noted in its IURC Annual Reports, as of December 31, 2023 Eastern Heights  
15 had set aside \$600,000 for capital projects.<sup>4</sup> (Applicant referred to these funds as  
16 Reserves for Utility Plant Improvements, NARUC Account 133, Page F-9 of 2023  
17 IURC Report.) Of these funds, \$552,506 was still available as of July 31, 2024.  
18 (See OUCC Attachment TWM-3.) I recommend \$150,000 of this amount be used  
19 to reduce Applicant's three-year E&R revenue requirement. This will mitigate  
20 Applicant's rate increase.

---

<sup>4</sup> In response to OUCC Data Request 3-6, Applicant stated it had set up an account that "was set aside for projects included in Wessler Engineering's 'Engineer's Opinion of Probable Project Cost' seven year projection summary as of March 2020 as prepared by Wessler Engineering". (See OUCC Attachment TWM-3.)

## VI. WORKING CAPITAL

1 **Q: What does the term “working capital” mean for ratemaking purposes?**

2 A: For ratemaking purposes, working capital is the money a utility needs to bridge the  
3 monthly gap between the time when expenditures are required to provide utility  
4 service and the time the revenues from that service are collected<sup>5</sup>. Some  
5 expenditures are incurred and paid before the related revenues are collected while  
6 other expenditures are paid after the related service revenues are collected (paid “in  
7 arrears”)<sup>6</sup>. Working capital is the amount of funds needed, on an ongoing basis, to  
8 fund daily utility operations. An amount for working capital may be included as a  
9 component of a utility’s revenue requirements if it is determined that the utility  
10 does not have the necessary resources on hand to fund its daily operations. This  
11 inclusion in the utility’s revenue requirement provides the utility the ability, over a  
12 specified period, to build-up its working capital reserves to the appropriate level<sup>7</sup>.

13 **Q: Did Applicant include working capital in its revenue requirement?**

14 A: Yes. Applicant requested working capital of \$107,079 be included in its revenue  
15 requirement. While Applicant calculated this amount using the FERC 45-day

---

<sup>5</sup> Accounting for Public Utilities, Hahne and Aliff, Matthew Bender, Chapter 5 “Working Capital Component of Rate Base,” §5.04, page 5-4.

<sup>6</sup> The Court of Appeals of Indiana has indicated “the need for working capital arises from the day-to-day expenses which occur during the period between the time of billing and the time customers actually pay for service.” Board of Directors for Utilities v. Office of Utility Consumer Counselor, (1985) 473 N.E.2d 1043, 1050.

<sup>7</sup> This is the practice for municipal and non-profit utilities. Working capital is treated as an investment and included as a component of rate base for investor-owned utilities.

1 method, it only included \$400 of cash on hand in its calculation, excluding all other  
2 sources of available cash. (Application Schedule 8 – Working Capital).

3 **Q: Do you accept Applicant’s working capital revenue requirement?**

4 A: No. Using the FERC 45-day method, Applicant’s working capital need is \$315,148  
5 annually. As of December 31, 2023, Applicant had current available cash of  
6 \$405,997<sup>8</sup>, leaving a working capital surplus. (See Table 10 below and OUCC  
7 Schedule 8.) Applicant already has the necessary resources on hand to fund its  
8 daily operations.

**Table 10: Breakdown of Available Funds**

	<b>12/31/2023</b>
	<b>Balance</b>
Cash and Cash Equivalents	\$ 400
Working Funds	126,338
Temporary Cash Investments	279,259
	<b><u>\$ 405,997</u></b>

**VII. AFFORDABILITY**

9 **Q: Does the OUCC have concerns about the affordability of Applicant’s rate**  
10 **request?**

11 A: Yes. Through Indiana Code § 8-1-2-0.5, the Indiana General Assembly declared a  
12 policy recognizing utility service affordability for present and future generations. It  
13 stated affordability should be protected when utilities invest in infrastructure

---

<sup>8</sup> The balance of \$405,997 is in addition to \$600,000 of unrestricted funds the Utility has in “Other Special Deposits (Reserve for Utility Plant Improvements)”

1 necessary for system operation and maintenance. Further, the OUCC has received  
2 83 consumer comments, the majority of which deal with the affordability of rates.

3 **Q: How should affordability be considered?**

4 A: In light of the Indiana General Assembly's stated policy, affordability should be a  
5 consideration for all Indiana jurisdictional utilities, as well as the Commission as it  
6 deliberates its decisions. While new regulations need to be complied with,  
7 infrastructure needs to be replaced, systems need to be maintained and new  
8 situations arise, affordability is an issue that should be considered in all ratemaking  
9 decisions to provide guidance and help set spending parameters. The OUCC  
10 understands safe and reliable water systems are extremely important. However,  
11 while customers face increasing utility costs, they must also contend with higher  
12 living costs due to inflation. Consistent with the General Assembly's stated policy,  
13 the Commission should only approve necessary and reasonable requests for  
14 Applicant to provide quality water service at reasonable prices and take steps to  
15 moderate the imposition of higher rates over time. The OUCC believes its positions  
16 in this Filing balances the requirement for providing safe and reliable drinking  
17 water to ratepayers, while ensuring that the affordability of these services is such  
18 that this vital service is available to all ratepayers.

### **VIII. RECOMMENDATIONS**

19 **Q: Please summarize your recommendations to the Commission.**

20 A: I recommend the Commission approve an across-the-board rate increase of 43.02%  
21 to generate an additional \$1,164,636 of operating revenue per year. I recommend  
22 the Commission require Applicant to reduce its rates once the rate case expense and

1           asset management plan expense have been recovered through rates, as described

2           above in my testimony.

3   **Q:   Does this conclude your testimony?**

4   **A:   Yes.**



**APPENDIX A - QUALIFICATIONS**

1 **Q: Please describe your educational experience.**

2 A: In December of 2002 I received a bachelor's degree in Business Administration  
3 focusing on Accounting from Indiana University Kelley School of Business. In  
4 December of 2012 I received my Master of Science in Accounting from Indiana  
5 University Kelley School of Business, Indianapolis Indiana.

6 **Q: Please describe your professional experience.**


7 A: I was hired as a Utility Analyst in the Water / Wastewater division of the OUCC  
8 on April 30, 2018. Prior to being hired by the OUCC, I was the controller of All  
9 Trades Staffing. I have over fifteen years of accounting experience. I worked for  
10 several years as a Financial Analyst in the insurance and healthcare industries. I  
11 have participated in conferences and seminars regarding utility regulation, rate  
12 making and financial issues. I have completed the National Association of  
13 Regulatory Utility Commissioners (NARUC) Eastern Utility Rate School. I also  
14 regularly attend the National Association of State Utility Consumer Advocates  
15 (NASUCA) Accounting and Tax committee monthly meetings. In August of 2019  
16 I completed the Annual Regulatory Studies Program from the Institute of Public  
17 Utilities at Michigan State University.

18 **Q: Have you previously testified before the Indiana Utility Regulatory**  
19 **Commission?**

20 A: Yes.

**AFFIRMATION**

I affirm the representations I made in the foregoing testimony are true to the best of my knowledge, information, and belief.



---

By: Thomas W. Malan  
Cause No. 46084-U  
Office of Utility Consumer Counselor (OUCC)

Date: September 18, 2024

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**Comparison of Petitioner's and OUCC's  
Revenue Requirements**

	<u>Per Petitioner</u>	<u>Per OUCC</u>	<u>Sch Ref</u>	<u>OUCC More (Less)</u>
Operating Expenses	\$ 2,775,257	\$ 2,671,167	4	\$ (104,090)
Taxes other than Income (Payroll)	64,326	56,585	4	(7,741)
Extensions and Replacements	792,483	697,250	7	(95,233)
Working Capital	107,079	-	8	(107,079)
Debt Service	515,141	515,541	9	400
Debt Service Reserve	63,403	-	10	(63,403)
<b>Total Revenue Requirements</b>	<b>4,317,689</b>	<b>3,940,543</b>		<b>(377,146)</b>
Less: Interest Income	(26,626)	(26,626)	3	-
Other Income (below the line)	-	(7,023)	3	(7,023)
<b>Net Revenue Requirements</b>	<b>4,291,063</b>	<b>3,906,894</b>		<b>(384,169)</b>
Less: Revenues at current rates subject to increase	(2,671,325)	(2,706,916)	4	(35,591)
Other revenues at current rates	(42,896)	(42,896)	4	-
<b>Net Revenue Increase Required</b>	<b>1,576,842</b>	<b>1,157,082</b>		<b>(419,760)</b>
Add: Additional IURC Fees	2,318	1,739		(579)
Additional Bad Debt Expense	7,733	5,815		(1,918)
<b>Recommended Increase</b>	<b>\$ 1,586,892</b>	<b>\$ 1,164,636</b>		<b>\$ (420,339)</b>
<b>Recommended Percentage Increase</b>	<b>59.40%</b>	<b>43.02%</b>		<b>-16.38%</b>

<u>Current Rate for 4,000 Gallons</u>	<u>Proposed</u>		<u>OUCC More (Less)</u>
	<u>Petitioner</u>	<u>OUCC</u>	
Current Rate = \$23.34	\$ 37.21	\$ 33.38	\$ (3.83)

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**Reconciliation of Net Operating Income Statement Adjustments**  
*Pro-forma Present Rates*

	<u>Per Petitioner</u>	<u>Per OUC</u>	<u>OUC More (Less)</u>
Water Sales			
Residential	\$ (7,587)	\$ 24,600	\$ 32,187
Commercial	-	3,404	3,404
Miscellaneous Service Revenues	4,324	4,324	-
	<u>(3,263)</u>	<u>32,328</u>	<u>35,591</u>
Salaries & Wages - Employees	101,204	64,457	(36,747)
Pensions & Benefits	64,161	61,405	(2,756)
Purchased power	6,809	6,809	-
Chemicals	479	479	-
Periodic Maintenance	133,059	121,126	(11,933)
Contractual Services - Legal	-	(24,393)	(24,393)
Insurance			
Vehicle	(549)	(549)	-
Workman's Compensation	(4,132)	(4,132)	-
Other	(12,544)	(12,544)	-
Amortization of Rate Case Exp	48,333	15,000	(33,333)
IURC Fee	192	340	148
Other-Additional Payroll Related	3,277	3,277	-
Other-Additional Postage Expense	2,583	2,583	-
System Delivery	(1,361)	3,563	4,924
Amortization Expense	-	-	-
Payroll Taxes	8,019	278	(7,741)
	<u>349,530</u>	<u>237,699</u>	<u>(111,831)</u>
Net Operating Income	<u>\$ (352,793)</u>	<u>\$ (205,371)</u>	<u>\$ 147,422</u>

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**COMPARATIVE BALANCE SHEET**  
**As of December 31,**

<u>ASSETS</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>
Utility Plant:			
Utility Plant in Service	\$ 26,864,748	\$ 26,090,667	\$ 25,990,145
Less: Accumulated Depreciation	10,946,365	10,503,105	10,124,551
Accumulated Amortization	12,024	12,024	12,024
Utility Plant Acquisition Adjustment (Net)			16,084
Net Utility Plant in Service	<u>15,906,359</u>	<u>15,575,538</u>	<u>15,869,654</u>
Other Property & Investments			
Nonutility Property (land and building)	216,569	216,569	216,569
Less: Accumulated Depreciation and Amortization	41,564	40,512	39,121
Net Nonutility Property	<u>175,005</u>	<u>176,057</u>	<u>177,448</u>
Restricted Assets:			
Debt Service Reserve	325,332	325,332	341,796
Total Restricted Assets	<u>325,332</u>	<u>325,332</u>	<u>341,796</u>
Current Assets:			
Cash and Cash Equivalents	400	400	400
Other Special Deposits (Reserve for Utility Plant)	600,000	600,000	600,000
Working Funds	126,338	316,356	251,785
Temporary Cash Investments	279,259	20,704	99,997
Customer Accounts Receivable	138,870	115,027	114,829
Materials & Supplies Inventory	369,979	285,668	132,400
Prepayments	91,448	81,450	74,350
Total Current Assets	<u>1,606,294</u>	<u>1,419,605</u>	<u>1,273,761</u>
<b>Total Assets</b>	<u><u>\$ 18,012,990</u></u>	<u><u>\$ 17,496,532</u></u>	<u><u>\$ 17,662,659</u></u>

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**COMPARATIVE BALANCE SHEET**  
**As of December 31,**

<u>LIABILITIES</u>	<u>2023</u>	<u>2022</u>	<u>2021</u>
Equity			
Retained Earnings	\$ (733,405)	\$ (293,156)	\$ (278,453)
Paid in Capital			
Total Equity	<u>(733,405)</u>	<u>(293,156)</u>	<u>(278,453)</u>
Contributions in Aid of Construction			
Contributions in Aid of Construction, net	<u>13,985,601</u>	<u>13,888,313</u>	<u>13,844,548</u>
Net Contributions-in-aid of Construction	<u>13,985,601</u>	<u>13,888,313</u>	<u>13,844,548</u>
Long-term Debt			
RD #9111	479,439	551,330	644,248
RD #9113	534,186	573,418	610,693
RD #9115	1,677,501	1,756,853	1,832,815
Rural Development Loan			1,229
Total Long-term Debt	<u>2,691,126</u>	<u>2,881,601</u>	<u>3,088,985</u>
Current Liabilities			
Accounts Payable	105,382	87,941	62,098
Notes Payable	1,190,218	180,695	213,523
Customer Deposits	749,726	730,807	707,764
Accrued Taxes Payable	15,504	13,281	16,564
Accrued Interest Payable	8,838	7,050	7,630
Total Current Liabilities	<u>2,069,668</u>	<u>1,019,774</u>	<u>1,007,579</u>
<b>Total Liabilities</b>	<u><u>\$ 18,012,990</u></u>	<u><u>\$ 17,496,532</u></u>	<u><u>\$ 17,662,659</u></u>

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**COMPARATIVE INCOME STATEMENT**  
**Twelve Months Ended December 31,**

	<u>2023</u>	<u>2022</u>	<u>2021</u>
Operating Revenues			
Water Sales			
Residential	\$ 2,342,749	\$ 2,259,428	\$ 2,112,837
Commercial	118,103	111,274	107,407
Industrial	12,873	18,768	15,693
Public Authority	68,701	73,931	55,703
Multi-Family	18,112	19,941	14,198
Sales for Resale	11,352	11,703	10,851
Unmetered Water Sales	3,103	1,950	2,010
Fire Protection			
Public	77,041	76,585	73,361
Private	11,074	11,381	10,484
Late Payment Fees	15,804	16,069	14,739
Miscellaneous Service Revenues	38,572	34,898	34,977
Other Water Revenues	-	9,283	35,119
Total Operating Revenues	<u>2,717,484</u>	<u>2,645,211</u>	<u>2,487,379</u>
Operating Expenses			
Salaries & Wages - Employees	675,214	611,523	631,503
Salaries & Wages - Officers	42,601	27,330	25,530
Pensions & Benefits	433,650	346,694	347,543
Purchased power	196,195	210,894	174,486
Chemicals	68,509	71,886	56,556
Materials & Supplies	664,855	515,242	416,297
Contractual Services			
Engineering	120,007	44,696	26,947
Accounting	38,986	32,150	54,282
Legal	56,016	27,907	31,360
Other/Testing	61	341	494
Other	7,385	1,059	6,990
Transportation	46,527	67,977	54,038
Insurance			
Vehicle	10,444	11,999	9,168
General Liability		384	26,235
Workman's Compensation	11,047	9,875	10,161
Other	45,186	41,744	14,707
Regulatory Commission Expense	3,785	2,777	2,586
Bad debt expense	13,242	5,693	5,638
Miscellaneous Expense	36	(691)	702
Total O&M Expense	<u>2,433,746</u>	<u>2,029,480</u>	<u>1,895,223</u>

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**COMPARATIVE INCOME STATEMENT**  
**Twelve Months Ended December 31,**

	<u>2023</u>	<u>2022</u>	<u>2021</u>
Depreciation Expense	524,161	497,133	501,592
Amortization Expense	-	16,084	16,086
Taxes Other than Income			
Payroll Taxes	56,307	47,387	49,460
Total Operating Expenses	<u>3,014,214</u>	<u>2,590,084</u>	<u>2,462,361</u>
Net Operating Income	(296,730)	55,127	25,018
Other Income (Expense)			
Income From Utility Plant Leased to Others	34,623	33,427	33,279
Gain / Loss from Disposition of Utility Property	(32,757)	36,834	5,491
Interest & Dividend Income	26,626	11,116	7,341
Nonutility Income	7,023	3,456	190,304
Misc. Non-Utility Exp	(2,407)	(1,898)	(4,262)
Total Other Income (Expenses)	<u>33,108</u>	<u>82,935</u>	<u>232,153</u>
Interest Expenses			
Interest Expense	176,627	152,765	166,809
Total Interest Expense	<u>176,627</u>	<u>152,765</u>	<u>166,809</u>
Net Income	<u>\$ (440,249)</u>	<u>\$ (14,703)</u>	<u>\$ 90,362</u>



**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

*Pro Forma* Net Operating Income Statement

	<u>Test Year Ended 12/31/2023</u>	<u>Adjustments</u>	<u>Sch Ref</u>	<u>Pro Forma Present Rates</u>	<u>Adjustments</u>	<u>Sch Ref</u>	<u>Pro Forma Proposed Rates</u>
Operating Revenues							
Water Sales							
Residential	\$ 2,342,749	\$ 15,058	5-1	\$ 2,367,349	1,018,538		\$ 3,385,887
Residential		9,542	5-2				
Commercial	118,103	3,404	PET	121,507	52,278		173,785
Industrial	12,873			12,873	5,539		18,412
Public Authority	68,701			68,701	29,558		98,259
Multi-Family	18,112			18,112	7,793		25,905
Sales for Resale	11,352			11,352	4,884		16,236
Unmetered Water Sales	3,103			3,103	1,335		4,438
Fire Protection							
Public	77,041			77,041	33,146		110,187
Private	11,074			11,074	4,765		15,839
Late Payment Fees	15,804			15,804	6,800		22,604
Miscellaneous Service Revenues	38,572	4,324	PET	42,896			42,896
Total Operating Revenues	<u>2,717,484</u>	<u>32,328</u>		<u>2,749,812</u>	<u>1,164,636</u>	1	<u>3,914,448</u>
O&M Expense							
Salaries & Wages - Employees	675,214	64,457	6-1	739,671			739,671
Salaries & Wages - Officers	42,601			42,601			42,601
Employee Benefits	433,650	61,405	6-2	495,055			495,055
Purchased power	196,195	6,809	PET	203,004			203,004
Chemicals	68,509	479	PET	68,988			68,988
Materials & Supplies	664,855			785,981			785,981
Periodic Maintenance		108,526	6-3				
Asset Mngmt Plan		12,600	6-4				
Contractual Services							
Engineering	120,007			120,007			120,007
Accounting	38,986			38,986			38,986
Legal	56,016			31,623			31,623
Out of period		(18,891)	6-5				
Non-recurring		(5,502)	6-6				
Other/Testing	61			61			61
Other	7,385			7,385			7,385
Transportation	46,527			46,527			46,527
Insurance							
Vehicle	10,444	(549)	PET	9,895			9,895
General Liability	-			-			-
Workman's Compensation	11,047	(4,132)	PET	6,915			6,915
Other	45,186	(12,544)	PET	32,642			32,642
Regulatory Commission Expense	3,785	340	6-8	4,125	1,739	1	5,864
Amortization of Rate Case Exp	-	15,000	6-7	15,000			15,000
Bad debt expense	13,242			13,242	5,815	1	19,057
Miscellaneous Expense	36			36			36
Additional Payroll Related	-	3,277	PET	3,277			3,277
Additional Postage Expense	-	2,583	PET	2,583			2,583
System Delivery	-	3,563	6-9	3,563			3,563
Depreciation Expense	524,161			524,161			524,161
Payroll Taxes	56,307	278	6-10	56,585			56,585
Total Operating Expenses	<u>3,014,214</u>	<u>237,699</u>		<u>3,251,913</u>	<u>7,553</u>		<u>3,259,466</u>
Net Operating Income	<u>\$ (296,730)</u>	<u>\$ (205,371)</u>		<u>\$ (502,101)</u>	<u>\$ 1,157,082</u>		<u>\$ 654,981</u>

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**OUC Revenue Adjustments**

(1)

**Residential Customer Count**

Adjustment to capture changes in the number of residential customers during the test year.

Customer Count 12/31/2023	7,224
Times: 12 Months	<u>12</u>
Total Customer Billings	86,688
Less: Actual Residential Test Year Billings	<u>86,135</u>
Net Increase in Customer Billings	553
Times: Average Residential Customer Bill	<u>\$ 27.23</u>

**Adjustment Increase (Decrease)**

**\$ 15,058**

**2023 Customer Counts:**

<u>Months</u>	<u>#</u>
Jan	7,135
Feb	7,128
Mar	7,134
Apr	7,145
May	7,145
Jun	7,166
Jul	7,178
Aug	7,219
Sep	7,224
Oct	7,200
Nov	7,237
Dec	<u>7,224</u>
Total	<u><u>86,135</u></u>

Test Year Residential Sales	\$ 2,345,852 <sup>(A)</sup>
Divided by: Total Residential Billings	<u>86,135</u>
Average Monthly Bill	<u><u>\$ 27.23</u></u>

(A) Includes unmetered water sales per Applicant's Small Utility Application, Schedule 5 - Rev Adj (3), cell G28.



**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**OUCC Expense Adjustments**

(1)

**Salaries and Wages**

Adjustment to account for salary and wage increases.

	Current Rate	Reg Hours	Overtime	Reg Wages	Overtime Wages	Total Wages
Office Manager	\$ 35.50	2080	4.00	\$ 73,840	\$ 213	\$ 74,053
General Manager	35.00	2080	161.50	72,800	8,479	81,279
Locator	32.00	2080	136.00	66,560	6,528	73,088
Clerk/Data Processor	29.40	2080	-	61,152	-	61,152
Superintendent	27.50	2080	96.00	57,200	3,960	61,160
Laborer/Operator	27.00	2080	190.00	56,160	7,695	63,855
Laborer/Operator	23.85	2080	240.50	49,608	8,604	58,212
Meter Reader	19.90	2080	212.00	41,392	6,328	47,720
Clerk/Data Processor	18.00	2080	-	37,440	-	37,440
Laborer/Service man	17.50	2080	177.50	36,400	4,659	41,059
Laborer	17.50	2080	247.00	36,400	6,484	42,884
Meter Reader	17.75	2080	98.00	36,920	2,609	39,529
Clerk/Data Processor	17.50	2080	-	36,400	-	36,400
Clerk/Data Processor	17.50	1248	-	21,840	-	21,840
<i>Pro-forma</i> Salaries and Wages						739,671
Less: Test Year Expense						<u>675,214</u>

**Adjustment Increase (Decrease)**

**\$ 64,457**

(2)

**Employee Benefits**

To adjust health care, life and dental benefits. Add additional retirement benefit for increased salaries

Insurance

<i>Pro forma</i> employee insurance expense	\$ 354,315
Test year employee insurance expense	<u>295,019</u>
	\$ 59,296

To calculate the additional retirement benefit for the increased salaries proposed in Adjustment 1

<i>Pro forma</i> Salaries and Wages	\$ 739,671
Retirement Benefit Rate	<u>7.5%</u>
<i>Pro-forma</i> Retirement Benefit	55,475
Less: Test Year Expense	<u>53,366</u>
	\$ 2,109

**Adjustment Increase (Decrease)**

**\$ 61,405**

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**OUCC Expense Adjustments**

(3)

**Periodic Maintenance**

Pro forma annual periodic maintenance expense for tank, well , and treatment maintenance.

(1) Tank Painting/Cleaning	\$ 4,784,000
Amortizations (years)	<u>15</u>
	<u>318,933</u>
(2) Wells Cleanings & Well Pump Main	300,000
Amortizations (years)	<u>5</u>
	<u>60,000</u>
(3) Booster Pumps	23,418
Amortizations (years)	<u>5</u>
	<u>4,684</u>
Total Yearly Expense	383,617
Less: Test year Expense	<u>275,091</u>
<b>Proposed Adj.</b>	<b><u>\$ 108,526</u></b>

**Adjustment Increase (Decrease)**

**\$ 108,526**

(4)

**Asset management Plan**

Amortize asset management plan over its useful life of five (5) years.

Asset Management Plan	\$ 63,000
Divided by: Useful life 5 years	<u>5</u>

**Adjustment Increase (Decrease)**

**\$ 12,600**

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**OUCC Expense Adjustments**

(5)

**Contractual Services - Legal Expenses**

Remove out of period legal expense paid during the test year. Todd R. Corn invoice dated April 30, 2023

Hours occurring outside the test year	58.125
Rate Per Hour	\$ 325
	<u>\$ 18,891</u>

**Adjustment Increase (Decrease)**

**\$ (18,891)**

(6)

**Contractual Services - Legal Expenses**

Removal of non-recurring legal fees associated with a special project.

Non-recurring legal fees	\$ 5,502
Note: <i>Bose McKinney &amp; Evans and Jones McGlasson &amp; Seifers 2023 invoices</i>	
Attachment TWM 2 (Redacted)	

**Adjustment Increase (Decrease)**

**\$ (5,502)**

(7)

**Rate Case Expense**

To adjust test year operating expenses to include the costs associated with this rate case.

Accounting Expense	\$ 30,000
Engineering Fees	-
Legal Fees	<u>15,000</u>
Sub-Total	45,000
Divided By: Expected Life of Rates	<u>3</u>
Proforma Test Year Rate Case Expense	\$ 15,000

**Adjustment Increase (Decrease)**

**\$ 15,000**

(8)

**Indiana Utility Regulatory Commission (IURC) Fee**

To adjust test year IURC fee for pro forma present rate operating revenues.

Total Operating Revenues	2,749,812
Times: Current IURC Fee	<u>0.15%</u>
Sub-Total	4,125
Enter Test Year IURC Fee	<u>3,785</u>

**Adjustment - Increase/(Decrease)**

**\$ 340**

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**OUCC Expense Adjustments**

(9)

**System Delivery Adjustment**

To account for increased system delivery costs due to customer growth.

Purchased Power Expense	\$ 203,004	
Chemical Expense	<u>68,988</u>	
	271,992	
Total Test Year Billings	<u>88,790</u>	
Variable Cost Per Bill		\$ 3.06
Postage		<u>0.73</u>
Total Cost Per Bill		\$ 3.79
Multiplied by: Total Additional Billings		<u>940</u>
Cost for additional billings		<u><u>\$ 3,563</u></u>

**Adjustment Increase (Decrease)**

**\$ 3,563**

Additional Test year Residential billings	553
Additional Test year Commercial billings	39
Additional Post Test year Residential billings	<u>348</u>
Total Additional Billings	<u><u>940</u></u>

(10)

**Payroll Taxes**

To adjust Social Security and Medicare for the increase in Salaries & Wages and Overtime

Pro forma Salaries and Wages	\$ 739,671	
Retirement Benefit Rate	<u>7.65%</u>	
Pro-forma Retirement Benefit		56,585
Less: Test Year Expense		<u>56,307</u>

**Adjustment Increase (Decrease)**

**\$ 278**

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**Extensions and Replacements**

To reflect the average amount of extensions and replacements required over a three year period.

	<b>OUCC Recommendation</b>				<b>Applicant</b>	<b>OUCC More (Less)</b>
	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Total</b>		
Meter Replacement	\$ 225,000	\$ 225,000	\$ 225,000	\$ 675,000	\$ 675,000	\$ -
Main Replacements	250,000	250,000	250,000	750,000	750,000	-
Hydrant Replacements	30,000	30,000	30,000	90,000	90,000	-
Asset Management Plan	-	-	-	-	63,000	(63,000)
SCADA System Upgrade	-	-	-	-	72,700	(72,700)
Vehicles	88,000	88,000	88,000	264,000	264,000	-
Excavator Trades	8,000	8,000	8,000	24,000	24,000	-
Lead Line Replacement	146,250	146,250	146,250	438,750	438,750	-
	<u>\$ 747,250</u>	<u>\$ 747,250</u>	<u>\$ 747,250</u>	<u>\$ 2,241,750</u>	<u>\$ 2,377,450</u>	<u>\$ (135,700)</u>
			Cash Funded Reduction	(150,000)	-	(150,000)
			Total To Be Funded Through Rates	2,091,750	2,377,450	(285,700)
			Divide by 3 Years	3	3	3
			<b>Average Annual E&amp;R</b>	<u>\$ 697,250</u>	<u>\$ 792,483</u>	<u>\$ (95,233)</u>



**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**Working Capital**

Operation & Maintenance Expense	\$ 2,667,604
Plus: Payroll Taxes	56,585
Less: Purchased Power	<u>(203,004)</u>
Adjusted Operation & Maintenance Expense	2,521,185
Times: 45 Day Factor	<u>0.125</u>
Working Capital Revenue Requirement	315,148
Less: Cash on Hand	<u>\$ (405,997)</u>
Net Working Capital Revenue Requirement	-
Divide by: Amortization Period (Years)	<u>3</u>
<b>Annual Working Capital Revenue Requirement</b>	<b><u><u>\$ -</u></u></b>

**Cash on Hand:**

Cash on Hand (Petty Cash)	(400)
Working Fund	(126,338)
Temp Cash Investments	<u>(279,259)</u>
	<u><u>\$ (405,997)</u></u>

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**Debt Service**

To reflect the average amount of debt service required over a three year period.

RD Loan 9111	\$ 102,996
RD Loan 9113	67,704
RD Loan 9115	154,632
Farmers and Merchants Bank	190,209
	<u>\$ 515,541</u>

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**Debt Service Reserve**

Applicant's debt service reserve for Rural Development loans are fully funded and there is no reserve requirement for the new bank loan. Therefore there is no debt service revenue requirement.

**Eastern Heights Utilities, Inc.**  
**CAUSE NUMBER 46084-U**

**Current and Proposed Rates and Charges**

	<u>Current</u>	<u>Petitioner Proposed</u>	<u>OUCC Proposed</u>	<u>OUCC More (Less)</u>
<b>Metered Rates</b>				
First 3,000 gallons	6.34	\$ 10.11	\$ 9.07	\$ (1.04)
Next 12,000 gallons	4.32	6.89	6.18	(0.71)
Next 35,000 gallons	3.39	5.40	4.85	(0.56)
Next 100,000 gallons	3.05	4.86	4.36	(0.50)
All Over 150,000 gallons	2.77	4.42	3.96	(0.45)
<b>Minimum</b>				
5/8" Meter	19.02	\$ 30.32	\$ 27.20	\$ (3.12)
3/4" Meter	25.51	40.66	36.49	(4.18)
1" Meter	38.46	61.31	55.01	(6.30)
1 1/2" Meter	78.98	125.90	112.96	(12.94)
2" Meter	121.76	194.09	174.15	(19.94)
3" Meter	247.59	394.67	354.11	(40.56)
4" Meter	412.23	657.11	589.59	(67.52)
6" Meter	843.22	1,344.13	1,206.01	(138.12)
<b>Hydrant Charge Per Month or Year</b>				
Public Fire Hydrant	467.19	\$ 744.72	\$ 668.20	\$ (76.53)
Private Fire Hydrant	467.19	744.72	668.20	(76.53)
<b>Fire Protection Surcharge Per 1,000g or 100cf</b>				
2"	74.65	\$ 119.00	\$ 106.77	\$ (12.23)
3"	167.98	267.77	240.25	(27.52)
4"	298.60	475.98	427.07	(48.91)
6"	671.85	1,070.96	960.91	(110.05)
8"	1,199.72	1,912.41	1,715.89	(196.52)
10"	1,866.23	2,974.86	2,669.16	(305.69)
12"	2,687.36	4,283.78	3,843.58	(440.20)

**II. Data Request**

**Q-4-1:** Please confirm the following residential customer counts. If a count is not correct, please provide the correct count and indicate how the correct count was determined.

<b>Month - Year</b>	<b>Residential Customer Count</b>	<b>Month - Year</b>	<b>Residential Customer Count</b>
Jan-23	7,135	Jan-24	7,218
Feb-23	7,128	Feb-24	7,208
Mar-23	7,134	Mar-24	7,219
Apr-23	7,145	Apr-24	7,234
May-23	7,145	May-24	7,233
Jun-23	7,166	Jun-24	7,247
Jul-23	7,178	Jul-24	7,253
Aug-23	7,219		
Sep-23	7,224		
Oct-23	7,200		
Nov-23	7,237		
Dec-23	7,224		

**RESPONSE:**

**The customer count as listed for residential customers is correct and includes all of the accounts in Rate 01 - Residential and Rate 06 - Family.**

**Q-4-2:** Please provide a more detailed breakdown for the \$48,000 amount listed on table B-22 of the Asset Management Plan / Capital Management Plan. For each detail, please indicate the source of the cost.

**RESPONSE:**

**A detailed breakdown is not available for the non-construction costs listed on table B-22. For study level projects, non-construction costs for Engineering Services are estimated by Wessler Engineering based on a percentage of the estimated construction costs.**

**Q-4-3:** Please explain in detail what “Survey, Design, Permitting, Bid, and Construction” engineering services are included in the \$48,000 Wessler Engineering included in the annual tank rehabilitation projects and tank inspections estimate. Please provide any document establishing scope of services.

**RESPONSE:**

**RECEIVED**

JAN 12 2024

**EHU INC.**

**JONES, McGLASSON & SIEFERS, P.C.**  
Attorneys at Law  
205 S. Walnut Street, Suite 3  
P.O. Box 279  
Bloomington, Indiana 47402-0279  
Telephone: 812-332-4431

Eastern Heights Utilities  
c/o Tom McArtor  
316 N Washington St  
Bloomfield, IN 47424

**PAID**  
CHECK 3037  
AMOUNT 7,080.00  
DATE 1-17-24

January 9, 2024  
File #: 23-546  
Inv #: 42679

**Attention:**  
**RE:**

DATE	DESCRIPTION	UNITS	AMOUNT	LWYR
Nov-01-23	November board meeting	1.00	300.00	RDJ
Nov-15-23	prepare Water Vault Easement for Tom Winger	2.00	600.00	RDJ
Nov-29-23	reviewed documents regarding proposed rate increase for meter sites, participated in Zoom conference with Nikki Schultz, Loys, Chris Wilson and office personnel	1.80	540.00	RDJ
Dec-01-23	December board meeting	1.00	300.00	RDJ
	multiple telephone conferences with Mike Chambers and Chris Janek	1.20	360.00	RDJ
Dec-04-23	[REDACTED]	2.00	600.00	RDJ
Dec-06-23	Crop Lease - review crop lease regarding tenant David Hill, telephone conference with Tami Helms with my advice	0.50	150.00	RDJ
Dec-08-23	review costs projections and telephone conference with Nikki Schultz regarding Tuesday's meeting	1.80	540.00	RDJ

Dec-12-23	attended meeting of Executive Board in Bloomfield	1.00	300.00	RDJ
Dec-13-23	email regarding include Wessler in the Zoom conference Friday, telephone conferences with Tom McArtor, telephone conference with Wessler, telephone conference with Nikki regarding Friday's zoom meeting	1.50	450.00	RDJ
Dec-15-23	reviewed proposed contracts and attended Zoom conference with executive board, Nikki, Gary VerDouw, and Wessler	1.80	540.00	RDJ
Dec-28-23	[REDACTED] telephone conference with Nikki, telephone conference with Tom McArtor, send emails to Nikki, Don, and Tom, revise agreement multiple times, reviewed multiple agreements and proposals	5.50	1,650.00	RDJ
Dec-29-23	[REDACTED]	1.50	450.00	RDJ
Jan-01-24	January, 2024 board meeting	1.00	300.00	RDJ
	Totals	23.60	\$7,080.00	

<b>Total Fees &amp; Disbursements</b>	<b>\$7,080.00</b>
Previous Balance	\$6,450.00
Previous Payments	\$6,450.00
<b>Balance Due Now</b>	<b>\$7,080.00</b>

**Make Checks payable to: Jones, McGlasson & Siefers, P.C.**

**Remit Payments to: Jones, McGlasson & Siefers, P.C.**  
**PO Box 279, Bloomington, IN 47402**

**Net terms: 30 days**

**Now Accepting: Discover, Mastercard and Visa. Call us to make a credit card payment or visit [www.btownlegal.com](http://www.btownlegal.com) to make a secure payment online via LawPay.**



**BOSE  
McKINNEY  
& EVANS LLP**  
ATTORNEYS AT LAW

**RECEIVED**  
JAN 15 2024  
**EHU INC.**

6338

Eastern Heights Utility Inc.  
316 North Washington Street  
Bloomfield, IN 47424

January 9, 2024  
Invoice No. 870136  
Client Matter No. 034698-0001

**Matter: General Utility**

<u>Date</u>	<u>Professional</u>	<u>Hours</u>	<u>Narrative</u>
12/07/23	N. Shoultz	0.20	Exchange emails with client team regarding Board's selection of G. VerDouw; work to coordinate time for introductory meeting.
12/08/23	N. Shoultz	0.80	Call from R. D. Jones regarding request for attendance at Executive Session of Board [REDACTED] call with G. VerDouw regarding same; draft and send email to R.D. Jones with advice for options for extension of service.
12/11/23	N. Shoultz	0.30	Review email from C. Wilson with suggested times for call with G. VerDouw; coordinate same and respond to client team.
12/13/23	N. Shoultz	0.30	Call from R. D. Jones regarding recent EHU Board Executive Committee meeting and [REDACTED]

**Sub-Total Fees:** 944.00

**TOTAL CURRENT BILLING:** \$ 944.00

**PAID**  
CHECK 3031  
AMOUNT 2578.00  
DATE 1-17-24

**BOSE  
McKINNEY  
& EVANS LLP**

ATTORNEYS AT LAW

Eastern Heights Utility Inc.  
316 North Washington Street  
Bloomfield, IN 47424

January 9, 2024  
Invoice No. 870137  
Client Matter No. 034698-0003

**Matter: PFAS Issues**

<u>Date</u>	<u>Professional</u>	<u>Hours</u>	<u>Narrative</u>
12/01/23	J. Janak	0.30	Review and respond to correspondence regarding [REDACTED] work on withdrawal papers; coordinate prospective steps.
12/01/23	M. Chambers	1.20	Communicated with Eastern Heights [REDACTED]
12/04/23	M. Chambers	0.20	[REDACTED]
12/05/23	M. Chambers	0.50	[REDACTED]
12/07/23	J. Janak	0.10	[REDACTED]
12/07/23	M. Chambers	0.30	[REDACTED]
12/08/23	M. Chambers	0.10	[REDACTED]

**Sub-Total Fees:** 1,634.00

**TOTAL CURRENT BILLING: \$ 1,634.00**

**BOSE  
McKINNEY  
& EVANS LLP**

ATTORNEYS AT LAW

**J. Christopher Janak**

Direct Dial: (317) 684-5249  
Fax: (317) 223-0249  
E-Mail: [JJanak@boselaw.com](mailto:JJanak@boselaw.com)

January 10, 2024

Eastern Heights Utility, Inc.  
316 N. Washington Street  
Bloomfield, IN 47424

Re: General Utility  
PFAS Issues

Dear Sir or Madam:

Enclosed please find our invoices for legal services rendered through the dates shown for the above matters. Please be sure to return the remittance copy of the statements with your payment.

If you have any questions, please do not hesitate to contact me. Thank you very much for your attention to this matter.

Sincerely,



J. Christopher Janak

JCJ:sef  
Enclosures  
838277v2

*R. D. Jones & Jane*

RECEIVED

OCT 19 2023

EHU INC.

**JONES, McGLASSON & SIEFERS, P.C.**  
**Attorneys at Law**  
**205 S. Walnut Street, Suite 3**  
**P.O. Box 279**  
**Bloomington, Indiana 47402-0279**  
**Telephone: 812-332-4431**

Eastern Heights Utilities  
c/o Tom McArtor  
316 N Washington St  
Bloomfield, IN 47424

October 16, 2023

File #: 23-546  
Inv #: 42600

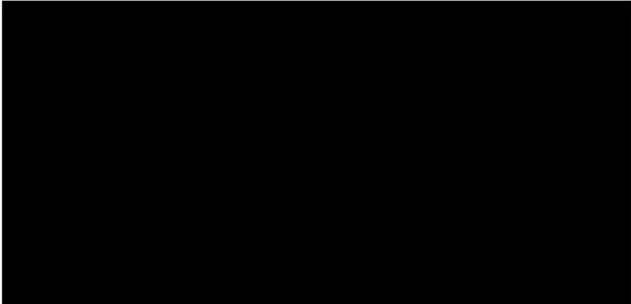
*6338*

Attention:  
RE:

PAID  
CHECK 2909  
AMOUNT 6450.00  
DATE 11-7-2023

DATE	DESCRIPTION	UNITS	AMOUNT	LWYR
Aug-01-23	Westgate -reviewed several proposed contracts and related documents to the [REDACTED] and telephone conference with Todd Corn	2.20	660.00	RDJ
Aug-02-23	[REDACTED] meeting of Executive committee of EHU and researched 501(c) rules and statute	2.00	600.00	RDJ
Aug-03-23	[REDACTED]	2.50	750.00	RDJ
Aug-09-23	[REDACTED]	2.40	720.00	RDJ
Aug-10-23	[REDACTED]	0.50	150.00	RDJ
Aug-16-23	[REDACTED]	0.00	N/C	RDJ

	[REDACTED]			
Aug-23-23	[REDACTED]	0.00	N/C	RDJ
	[REDACTED]			
	Hunting Agreement - received request from Chris Wilson to prepare hunting agreement for DNR	0.00	N/C	RDJ
Aug-25-23	Hunting Agreement - researched Indiana statutes and laws; drafted hunting agreement	2.50	750.00	RDJ
Aug-28-23	Greene County Reimbursement Agreement - telephone conference with Attorney Abshire	0.00	N/C	RDJ
Sep-05-23	Hunting Agreement -sent drafts to Chris Wilson for review, Jerry Siefers attended board meeting at EHU headquarters and discussed drafts of agreement and suggested revisions to comply with DNR	1.00	300.00	RDJ
Sep-06-23	[REDACTED]	0.50	150.00	RDJ
Sep-20-23	Greene County Reimbursement Agreement -reviewed and revised agreement, made suggested changes and forward to Attorney Abshire for review	1.50	450.00	RDJ
	Hunting Agreement -revised agreements and forwarded to Chris Wilson with note regarding legal descriptions	0.80	240.00	RDJ
Sep-21-23	Greene County Reimbursement Agreement - received approval from Attorney Abshire, forwarded to Chris Wilson for signatures	0.00	N/C	RDJ
Oct-02-23	Capital Improvements - review of contract for capital improvements between Wessler and EHU	1.20	360.00	JLS

Oct-03-23	Greene County Reimbursement Agreement - received fully executed agreement	0.00	N/C	RDJ
	Hunting Agreement - email exchange between Tina and Tammy regarding legal descriptions for wells; Tammy emailed tax cards for well fields	0.00	N/C	RDJ
Oct-05-23	Hunting Agreement - researched and obtained legal descriptions and completed Hunting agreements for board meetings	1.40	420.00	RDJ
Oct-11-23		1.00	300.00	RDJ
	attendance at August board meeting	1.00	300.00	RDJ
	attendance at October board meeting	1.00	300.00	JLS
	Totals	21.50	<u>\$6,450.00</u>	

<b>Total Fees &amp; Disbursements</b>	<b>\$6,450.00</b>
Previous Balance	\$0.00
Previous Payments	\$0.00
<b>Balance Due Now</b>	<b>\$6,450.00</b>

**Make Checks payable to: Jones, McGlasson & Siefers, P.C.**

**Remit Payments to: Jones, McGlasson & Siefers, P.C.  
 PO Box 279, Bloomington, IN 47402**

**Net terms: 30 days**

**Now Accepting: Discover, Mastercard and Visa. Call us to make a credit card payment or visit [www.btownlegal.com](http://www.btownlegal.com) to make a secure payment online via LawPay.**



TODD R. CORN  
ATTORNEY AT LAW  
114 EAST MAIN STREET, PO BOX 556  
BLOOMFIELD IN 47424  
TEL: (812) 384-4556  
FAX: (812) 384-8966

April 30, 2023

Mr. Thomas D. McArtor, President  
Eastern Heights Utilities, Inc.  
316 North Washington Street  
Bloomfield, Indiana 47424

Dear Thomas:

The legal services for the ten (10) months from July 1, 2022, through April 30, 2023, are as follows:

07-05-22      Receive and review e-mail from Tami re: a complaint  
Tuesday      from a customer who had been given the same address  
as another customer. Customer was threatening legal  
action.

Phone conference with Mike Cahill to discuss the  
customer's complaint and how to deal with the  
customer.

As to the real estate being sold to Jeff Ellington  
received e-mail from Cynthia Ferguson indicating  
that she had sent "her" a document for signature  
by Eastern Heights.

Phone conference with Jackie at Aames Title Co.  
re: USDA mortgage releases. Did she get the alleged  
document? Jackie would inquire of Cynthia.

Received formal request document from Cynthia to be  
signed by EHU. Document was not correctly prepared.

Phone conference with Jackie at Aames Title to discuss  
document.

CHECK      PAID  
                 2623  
AMOUNT      26,325.00  
DATE      5-3-2023



Received e-mail from Loys asking if the utility has an easement on the north side of 445 at the intersection of Lawrence Hollow.

Review Greene County GIS Map to determine owner of real estate located at intersection of SR445 & Lawrence Hollow.

Begin search of files in my office.

Prepared a corrected Formal Request document and sent to Cynthia Ferguson of USDA for her review and approval.

Attend regular Board of Directors monthly meeting. 4 3/4

07-06-22  
Wednesday Received revised Formal Request for Mortgage Releases and reviewed and approved and returned them to Cynthia with my approval indicated and she was to now obtain USDA approval so that Closing could be scheduled.

Finish search for easement requested by Loys which I located.

Draft letter to Loys to accompany recorded easement. 1 1/4

07-11-22  
Monday Phone conference with Marvin Abshire, Greene County, Attorney, as to why he had not yet followed up on the 06-15-22 e-mail that he had told me he would follow-up.

Received and reviewed earlier e-mail from Marvin Abshire that I had not previously received and his proposal to deal with issues surrounding Option To Purchase Real Estate.

Review my files.

Draft written response to Marvin's e-mail and forward it to him.

Received and reviewed follow-up e-mail from Marvin Abshire indicating he would schedule a meeting of the Greene County Redevelopment Authority for 07-28-22. 1 1/4

07-14-22  
Thursday Draft e-mail to Marvin Abshire.

Received and reviewed e-mail from Marvin Abshire as to who would sign the proposed Lease Amendment on behalf of Eastern Heights. 1/4

07-15-22  
Friday

Phone conference with Tami.

Draft e-mail to Marvin Abshire informing him that Tom McArtor would be signing the proposed Lease Amendment.

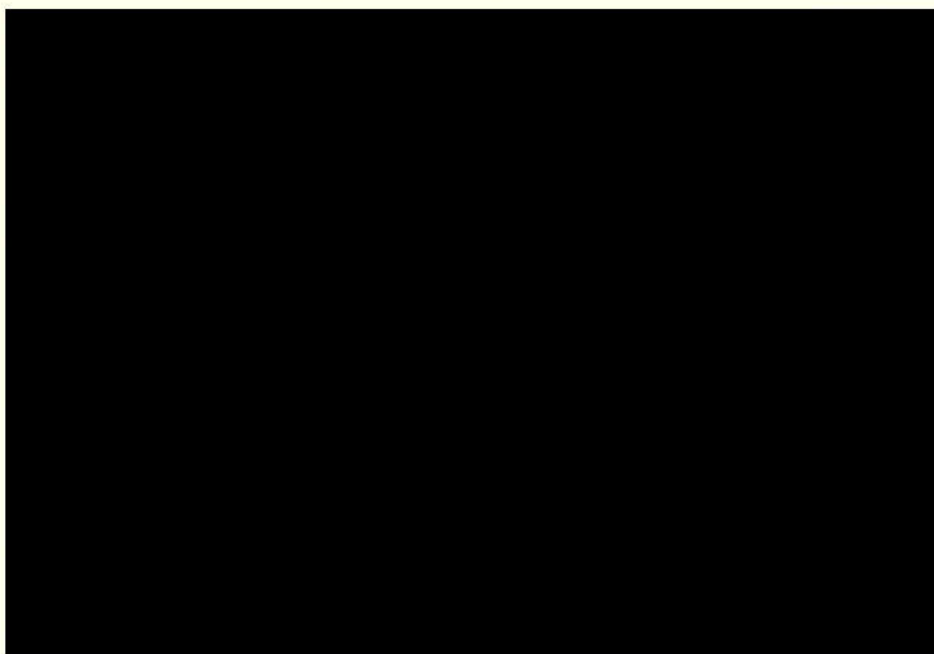
Received and reviewed proposed Lease Amendment as drafted by Marvin Abshire.

Reviewed my Westgate Water Tower files.

Drafted letter to Marvin Abshire indicating that the proposed Lease Amendment was acceptable to me and discuss other issues.

1 1/2

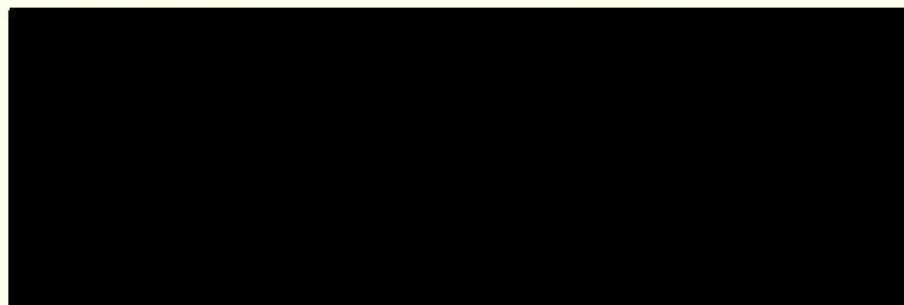
07-18-22  
Monday



After reviewing documents, I drafted letter to Marvin as to changes I wanted to be made.

2 1/4

07-20-22  
Wednesday

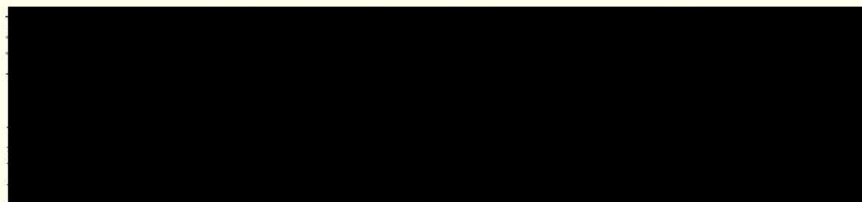


1/4

07-21-22  
Thursday

Met with Matt Baker, Greene County Auditor to discuss payment

history and payoff for the two (2) REMC Loans. Request additional information for the smaller loan.



Receive and review e-mail from Marvin Abshire concerning events that occurred today at the meeting of the Greene County Redevelopment Commission.



2 3/4

07-25-22  
Monday

Prepare for meeting with Matt Miller, Auditor of Greene County.



5/8

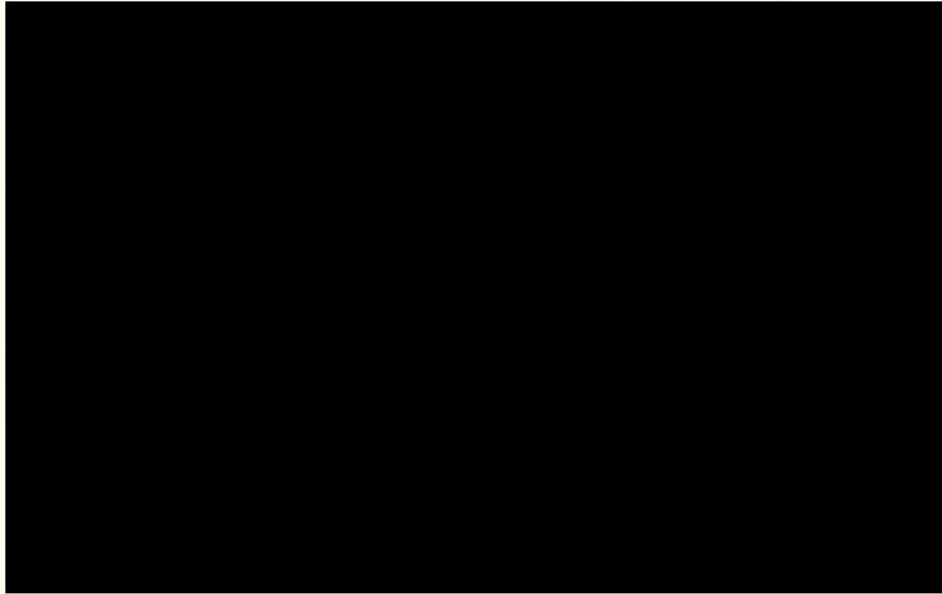
07-28-22  
Thursday



Review my drafts of documents for upcoming Board meeting including potential changes to be made.

1 1/4

08-01-22  
Monday

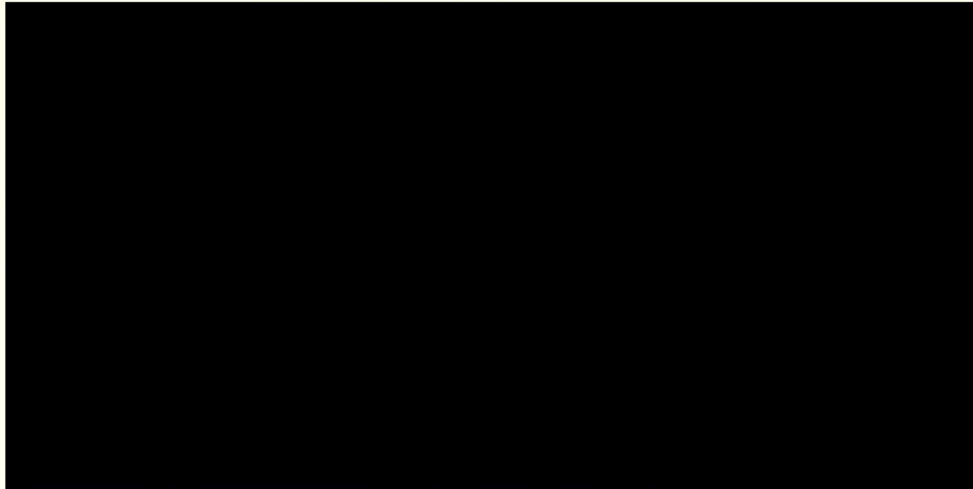


Preparation for this evening's Board meeting.

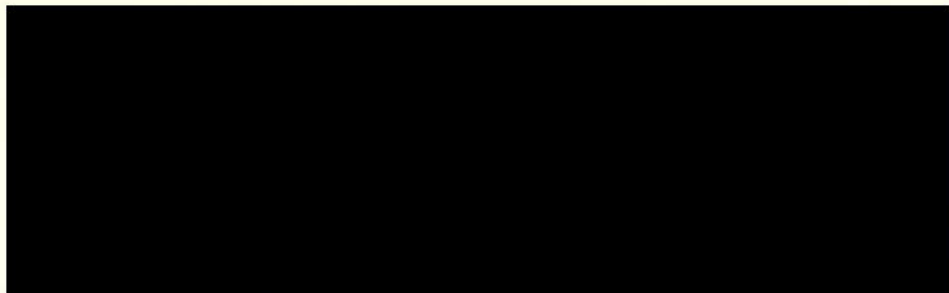
Attend this evening's Board of Directors meeting.

3 1/4

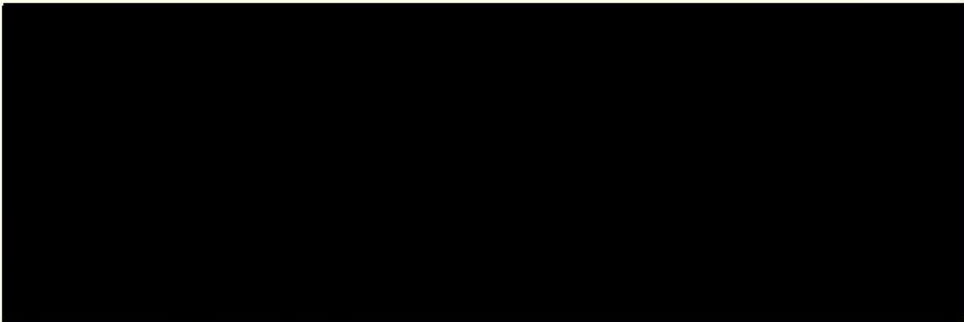
08-02-22  
Tuesday



Locate and review form suggested by Assessor's Office to establish real estate tax exemption.



08-03-22  
Wednesday



1 1/2

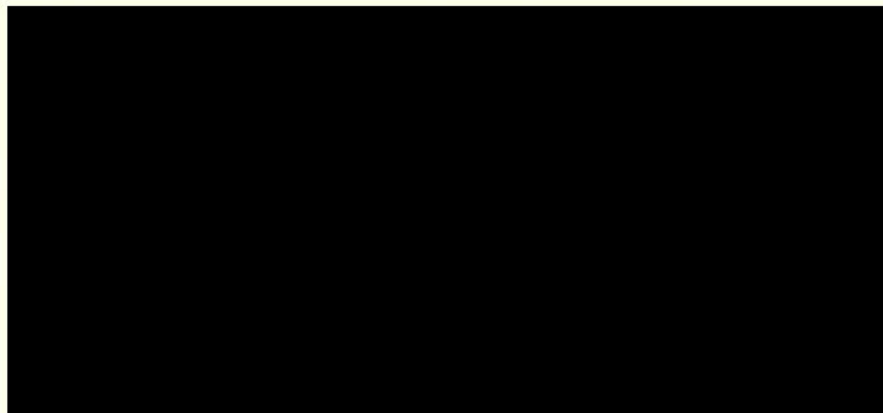
Phone conference with Mike Cahill.  
Initial legal research.

Phone conference with Loys Rees.

Additional legal research.

1 1/2

08-04-22  
Thursday



1/4

08-04-22  
Thursday

Additional research.

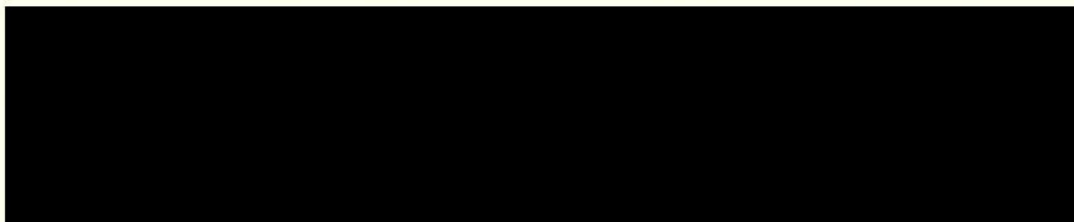
Phone conference with Loys Rees at Wessler.

Finish research.

Phone conference with Mike that Eastern Heights does not  
need to enter into a line extension agreement sometimes  
required by the IURC.

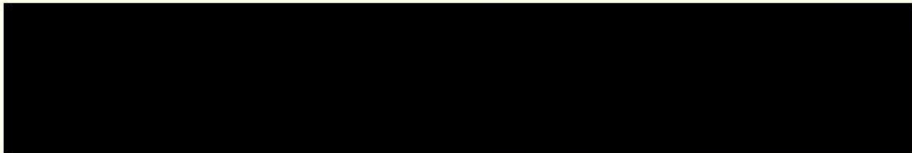
1 1/2

08-09-22  
Tuesday



Reviewed the easements being assigned.





Phone conference with Tami to have a check dropped off so I could get the Assignment recorded. It was brought to my office.

Take Assignment to Recorder's Office and record it. 7/8

08-10-22  
Wednesday



3/8

08-15-22  
Monday

Phone conference with Joe Pullen.

Attempt to call Tom McArtor. 1/4

08-18-22  
Thursday

Meeting with Mike Cahill concerning Charles Gene Calvert wanting EHU to pay for damages he caused to his mowing machine when he hit meter.

Begin research.

Phone conference with Mike Cahill after I had reviewed my file in detail.

Additional research preliminary to my going to Courthouse on Monday. 1 1/2

08-22-22  
Monday




Finish research as to issues involving Charles E. Calvert and his claiming EHU should pay to fix his Rotary mower, including review of documents recorded in the Courthouse.

Phone conference with Mike Cahill re: my legal opinion.

Draft letter to Mike Cahill re: my legal opinion. 1 1/4

08-23-22  
Tuesday

Forward by e-mail the letter to Mike Cahill that I drafted yesterday. 1/8

09-06-22 Tuesday	Preparation for tonight's monthly Board meeting, including review of the Charles Calvert file.  Attend monthly Board of Directors meeting. (The Sept. 2022 Board meeting was on Tuesday, 09-06-22 due to Labor Day being celebrated on Monday).	1 1/4
09-14-22 Wednesday	Phone conference with Mike Cahill re: a water line break as someone was building a fence on top of the area of the Eastern Heights water line and the owner's dad refused to move the fence line—Mike was on his way to talk to him again.  Follow-up phone conference with Mike as he did not get any co-operation from the man dictating where the fence was to be placed.  	
	Went to Courthouse to verify the ownership of the real estate at issue.	1 1/2
10-03-22 Monday	Preparation for tonight's monthly Board of Directors meeting.  Attend month Board of Directors meeting.	1 1/2
10-04-22 Tuesday	Mike dropped off easement information. Reviewed easement information dropped off regarding easement from Aaron Howard and Linda Dietrich which I had delivered to Kenny in the summer of 2020 but apparently Kenny did not get it signed. Revise the easement as the legislature no longer requires that all recorded documents be both notarized and witnessed.  Phone conference with Mike so that Mike can make arrangements for Aaron Howard and Linda Dietrich to come by my office so that the easement can be notarized.	1/2
10-27-22		1/4
11-07-22		

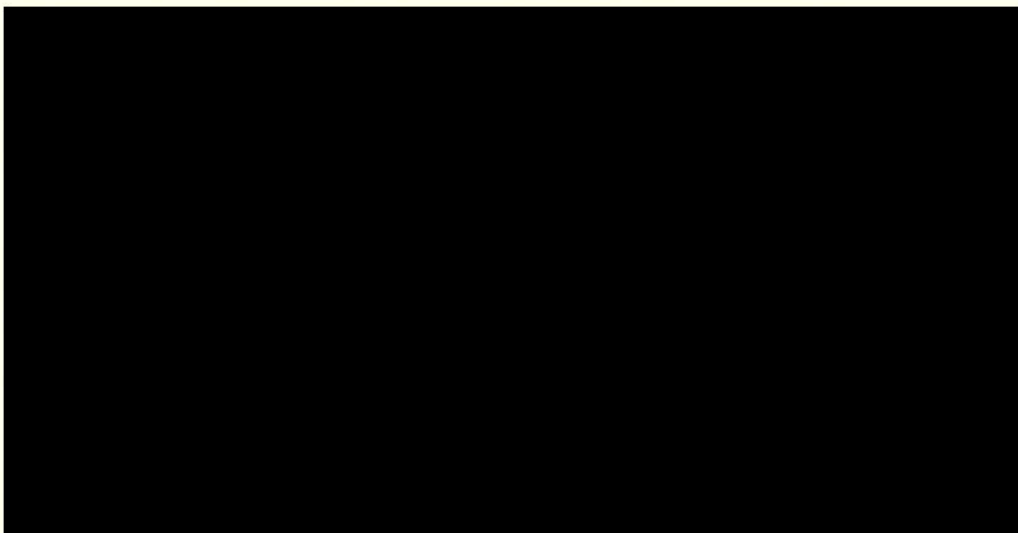
Monday



Attended Board of Directors meeting.

2 1/4

11-08-22  
Tuesday



Review my file.

Legal research.

Obtain and review the plat information.



3 1/4

11-11-22  
Friday

Draft e-mail to Marvin Abshire.



1/4

11-16-22  
Wednesday



Receive and reviewed a copy of the most recent License Agreement between the two parties.

Review my files as to License Agreements that I have written in the not too distant past.



Begin drafting a License Agreement.

Phone conference with Tami as to present contract as to another water tower with WiSpan.

Phone conference with Crit Robinson, a member of WiSpan.

Received and reviewed a copy of contract sent to me by Tami. Go and see Matt Baker, the Greene County Auditor as to the amount of monthly license payments that the County had been receiving from WiSpan over the months during 2022. Matt Baker would research.

Follow-up phone conference with Matt Baker.

Follow-up phone conference with Matt Baker who informed me as to the WiSpan payments to Greene County.

Phone conference with Tami as to the amount of the monthly payments being received by Eastern Heights from WiSpan.

Received and reviewed two (2) Quitclaim Deeds drafted by Marvin Abshire concerning the real estate that was platted in 2013.

Draft e-mail letter to Marvin Abshire as to how I wanted to proceed with the two (2) Quitclaim Deeds.

Received and reviewed written response from Marvin Abshire. 3 3/4

11-21-22  
Monday



1/2

11-23-22  
Wednesday

Review file and then phone conference with Tami re: addresses and/or parcel numbers for the four (4) locations wherein WiSpan Presently has communication equipment. Receive and reviewed e-mail response from Tami.

1/4

11-29-22  
Tuesday

Phone conference with Mike Cahill re: Mark Cornelius and boundary issue as to his real estate and the Bogard well fields real estate.

Examined my files.

Examined chain of title for the Cornelius real estate and the Eastern Heights real estate.

Examined the surveys prepared approximately 40 years ago on behalf of each property owner.

Met with Marvin Abshire at his office in the Courthouse. Discussed the License Agreement that had been in effect between Greene County and WiSpan. Also discussed reimbursement to Eastern Heights as to a couple of months of license agreement receipts by the County.

2 1/2

11-30-22  
Wednesday Review my Mark Cornelius folder originally created twenty (20) years ago in anticipation of phone conference with Marty James.

Phone conference (lengthy) with Marty James, surveyor that EHU normally employs to discuss Cornelius real estate issues and possible strategy. Marty's firm had an extensive libraries of older surveys, some in the area of the boundary dispute and he was able to see how the creek had changed the real estate over the years. We discussed possible strategy going forward.

1 1/4

12-01-22  
Thursday Review my Cornelius file in preparation for meeting with Mike Cahill.

Phone conference with Mike.

Meeting at my office with Mike to discuss the Mark Cornelius boundary issue, as well as my phone conference with Marty James. Also discussed WiSpan current agreement and issues with electronic equipment being place on Water Towers.

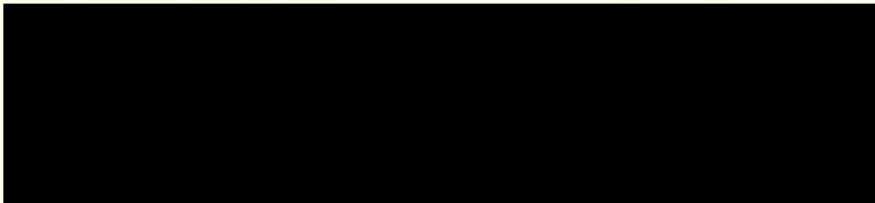
3/4

12-05-22  
Monday Received and reviewed e-mail from Marvin Abshire.

Go to Courthouse and pick up a check to reimburse for WiSpan license payment to County for 2 months.

In preparation for this evenings Board Meeting and discussion of the Cornelius boundary dispute, I made copies of the Trico Survey as well as Pitser survey so they could be discussed.

In preparation for this evening discussion of the License Agreement with WiSpan, I made copies of the schedule of actual payments received by Eastern Heights during the previous year based upon the previous agreement.

	Attend the monthly Board of Directors meeting.	2 3/4
12-06-22 Tuesday	Worked on proposed License Agreement with WiSpan consistent with discussion with the Board of Directors at last evenings Board meeting.	1 3/4
12-07-22 Wednesday	Work on License Agreement for WiSpan.  Phone conference with Mike Cahill.  Phone conference with Tami re: Parcel number for the four tracts of real estate involved in the WiSpan License Agreement.  Follow-up phone conference with Mike Cahill.  Follow-up phone conference with Tami.  Follow-up phone conference with Tami re: Brian Warnick's wife insisting that her family should receive free internet service.  Received and reviewed e-mail from Tami as to parcel number for original office building for Eastern Heights.  Finish License Agreement.  Phone conference with Crit, "owner" of WiSpan re: a copy is now available for him to pick up. Crit also brought up and we discussed the phone call he received from Brian Warnick's wife. Assured him that the License Agreement I prepared would not entitle Board Members and their families to receive free internet service.	2
12-12-22 Monday	Review my WiSpan file.  Phone conference with Tami as to classification of employees who are considered full-time hourly for purposes of the License Agreement.  Meeting with Crit and discuss the proposed License Agreement.	1/2
12-13-22 Tuesday		



Phone conference with Tom McArtor to discuss.

Follow-up phone conference with Tom McArtor.

Received and reviewed e-mail from Tami that full-time people for purpose of Health Insurance is 30 hours per week.

Make minor changes to the License Agreement consistent with my discussions with Tom. 1 3/8

12-14-22 Draft letter to Tami to accompany the \$87.50 check paid by  
Wednesday Greene County to Eastern Heights to reimburse for 2 months of payments by WiSpan to Eastern Heights. 1/4

12-27-22 Phone conference with Crit re: signing the License Agreement. 1/8  
Tuesday

12-28-22 Review my file and then met with Crit who stopped by and signed  
Wednesday the License Agreement. Discussed.

Phone conference with Mike Cahill.

Met with Mike Cahill at my office. Discussed. Mike then signed all three (3) copies of the License Agreement and took one (1) to give to Tami so that the office would have a copy. 5/8

01-02-23  3/8  
Monday

01-03-23 Preparation for this evenings board meeting, including examining  
Monday IURC attorney file.

Attend the monthly board meeting. After meeting discussed Lawrence Hollow area relocation easement related issues with Loys. 1 1/4

02-06-23 Received e-mail from Loys Rees, along with two (2) engineering  
Monday task orders to be discussed at tonight's board meeting.

Read and reviewed the two task orders in preparation for tonight's board meeting.

Attend regular monthly Board of Directors Meeting. 2 3/8

02-07-23  
Tuesday

Phone conference with Tami.

Phone conference with Joshua Riggins re: Nominating Committee.

Phone conference with Joe Pullen re: Nominating Committee

Phone conference with Don Schulte re: Nominating Committee

Phone conference with Tami.

Phone conference with Gary Hudson.

Follow-up phone conference with Joshua Riggins re: confirming meeting time.

Follow-up phone conference with Joe Pullen re: confirming meeting time.

Search my files for the Bales easement in response to discussion with Loys Rees at last night's Board meeting.

Preliminary legal research as to easement issues raised by Loys last night.

Phone conference (lengthy) with IURC Utility attorney with Bose McKinney & Evans as to possible state or federal or local financing and possibly needing IURC approval.

Phone conference with Tom McArtor re: my discussion with a representative of Bose McKinney and possibly setting up a team meeting with the various professionals, IURC lawyer, engineers, Sherman Barber & Mullikin, me, and board members.

Received and reviewed e-mail from Kevin Mullikin late in the day. 3

02-08-23  
Wednesday

Review my file and then phone conference with Loys Rees to review with him some ideas included in Kevin's e-mail. Also discussed easement issues.

Draft e-mail letter to Kevin Mulliken requesting that he call me today if possible.

Phone conference with Tom McArtor to bring him up-to-date. There may not need to be a team meeting as Kevin is of the mind that

local financing is probably the answer.

Met with Mike Cahill at my office. He brought by a proposed Grant Right of Way Easement from Greene County to Eastern Heights as Mike had difficulty getting private land owner to sign the easement that I had drafted.

Review the proposed easement and the state statutes.

Review my office files for an easement in response to Loys request. 1 1/2

02-09-23  
Thursday

Research at the Courthouse re: a written easement from Don Greene or his predecessors in interest as to the real estate next to the real estate recently purchased from Don Greene for the booster station. As per Loys, EHU will need to have some construction activity on adjacent real estate to provide for a "ramped up" entrance into the booster station real estate.

Phone conference with Mike Cahill to review the proposed easement from Greene County and provide my legal opinion.

Draft letter to Loys Rees with copy to Mike providing copies of Right of Way Easement to Eastern Heights as to the real estate presently owned by Don Greene as well as a copy of the original deed to Don Greene.

Draft e-mail to Kevin Mullikin. 2 1/4

02-10-23  
Friday

Review my file as to the booster station project.

Phone conference with Tom McArtor. Discuss financing for the booster station project.

Phone conference with Kevin Mullikin. Discuss financing options for booster station project.

Follow-up phone conference with Tom McArtor to review with him my phone discussion with Kevin Mulliken. 1

02-13-23  
Monday

Phone conference with Bose McKinney IURC attorney to let him know there would not be a team meeting as it appeared the utility would likely be seeking local financing with the term being 1 year or less and would thus not be needing to seek IURC approval. 1/8



02-14-23 Tuesday	Reminder phone calls to Don Schulte, Joe Pullen, Mike, and Joshua Riggins as to the upcoming nominating committee meeting.  Prepare a proposed set of minutes (agenda) in case Joe Pullen does not already have one.  Attend the Nominating Committee meeting at 10:00 am.	3/4
02-20-23 Monday	Review my booster station financing file.  Phone conference with Loys. Discuss Bales easement. Also discussed the booster station financing upcoming meeting scheduled for next Monday.	3/8
02-27-23 Monday	Review my file as to booster station financing.  Meeting at the utility office with Tom, Joe, Don, Kenny, Engineers and me to discuss booster station financing.	1 3/4
02-28-23 Tuesday	Received e-mail which Tami forwarded to me by Christine Dattilio from Sherman CPA firm. Reviewed the financial information included in the e-mail.	1/4
03-01-23 Wednesday	Phone conference with Loys regarding easement at Lawrence Hollow and Highway 45—to send me an e-mail shortly.	1/8
03-03-23 Friday	Received and reviewed INDOT Work plan forwarded to me by Loys, regarding the culvert replacement at Lawrence Hollow and SR 45, which Loys had earlier discussed with me regarding Exhibit B being requested by the engineers for INDOT.  Examined the work plan as forwarded to me.  Examined my files.  Draft a proposed e-mail response to Loys (actually sent on 3-06-23).	1
03-06-23 Monday	Sent the e-mail response to Loys regarding INDOT inquiry involving exhibits attached to Right-of-Way Easement.  Preparation for tonight's Board meeting.	

	Attend regularly scheduled monthly Board of Directors meeting.	1 7/8
03-08-23 Wednesday	Received copy of e-mail from INDOT engineer, addressed to Loys Rees, containing updated work plan that was sent to Loys.  Review updated work plan. Included in the language was the recognition by INDOT that the Eastern Heights easement is valid and that all future relocations will be reimbursable.	3/8
03-20-23 Monday	Received request from Tami to draft and send an attorney's legal opinion letter to Sherman Barber & Mullikin as part of the annual Audit.  Legal research involving FASB Accounting Standards Codification 450, which provides guidance concerning contingencies for the purpose of attorney legal opinion letters to auditors.  Draft legal opinion letter to Sherman Barber and Mullikin. Send to Christine Dattilo at Sherman Barker and Mullikin with copy to Mike Cahill.	1 1/2
03-22-23 Wednesday	Tami forwarded to me a copy of an e-mail she received from Karley Cross from Farmers & Mechanics indicating that they desired a written Resolution as to borrowing money. Reviewed  Received and reviewed e-mail from Tami asking me to locate or draft a Corporate Borrowing Resolution.  Searched my files for a Corporate Borrowing Resolution.  Phone conference with Tami that I would draft a Corporate Borrowing Resolution for the Board to consider and approve.	1/2
03-24-23 Friday	Reviewed copy of work plan sent by Elizabeth Stojanovska of INDOT to Loys Rees involving various issues including my previous opinion involving the easement obtained in 2015. Reviewed the same. Update my files consistent with the information and drawings forwarded to me.	1/2
03-28-23 Tuesday	Review Bylaws.  Legal research.	



Draft Corporate Borrowing Resolution.

Draft Excerpt of Minutes containing Corporate Borrowing Resolution.

Draft Resolution of Members of Eastern Heights Utilities, Inc. confirming and ratifying compensation paid to the Board of Directors.

Phone conference with Tom McArtor.

Preparation of Proposed Agenda for upcoming Annual Membership meeting. 3 3/4

03-29-23  
Wednesday Review my updates and then phone conference with Tami to verify that there were only the three (3) local banks presently being considered for possibly borrowing money. 1/4

04-03-23  
Monday Prep for tonight's Board Meeting.  
Attend annual membership meeting as well as regular April Board Meeting. 2 1/2

04-04-23  
Tuesday Revise the Corporate Borrowing Authorization as well as the Excerpts containing the Corporate Borrowing Resolution to provide to Farmers and Mechanics consistent with last night's Board Meeting decision.

Provide written instructions to Tami as to what to do with the various copies.

Phone conference with Tami as to how to get documents signed by Tom and Joe. Also discussed the actual resolution passed at last evening's Board Meeting so that Tami would know what to tell Farmers and Mechanics. 1

Total Hours	86
Less Time Forgiven	<u>5</u>
Hours Billed	81
Rate per hour	<u>\$325.00</u>

Total Amount Due \$26,325.00

If you have any questions about the foregoing, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Todd R. Corn". The signature is written in black ink and is positioned above the printed name.

Todd R. Corn

*Rate case*

**BOSE  
McKINNEY  
& EVANS LLP**

ATTORNEYS AT LAW

**J. Christopher Janak**

Direct Dial: (317) 684-5249  
Fax: (317) 223-0249  
E-Mail: [JJanak@boselaw.com](mailto:JJanak@boselaw.com)

December 4, 2023

RECEIVED

DEC 08 2023

EHU INC.

Eastern Heights Utility, Inc.  
316 N. Washington Street  
Bloomfield, IN 47424

*6388*

Re: General Utility

PAID  
CHECK 2983  
AMOUNT 1,180.00  
DATE 12-19-23

Dear Sir or Madam:

Enclosed please find our invoice for legal services rendered through the dates shown for the above matter. Please be sure to return the remittance copy of the statement with your payment.

If you have any questions, please do not hesitate to contact me. Thank you very much for your attention to this matter.

Sincerely,



J. Christopher Janak

JCJ:sef  
Enclosure  
838277v2

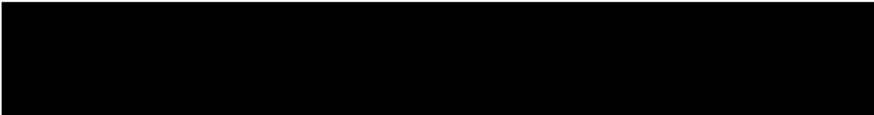
**BOSE  
McKINNEY  
& EVANS LLP**

ATTORNEYS AT LAW

Eastern Heights Utility Inc.  
316 North Washington Street  
Bloomfield, IN 47424

December 4, 2023  
Invoice No. 867623  
Client Matter No. 034698-0001

**Matter: General Utility**

<u>Date</u>	<u>Professional</u>	<u>Hours</u>	<u>Narrative</u>
11/27/23	N. Shultz	0.20	Review and respond to email from client regarding need to reschedule 11/29/23 call.
11/29/23	N. Shultz	1.80	

**Sub-Total Fees:** 1,180.00

**TOTAL CURRENT BILLING:** \$ 1,180.00

TODD R. CORN  
ATTORNEY AT LAW  
114 EAST MAIN STREET, PO Box 556  
BLOOMFIELD IN 47424  
TEL: (812) 384-4556  
FAX: (812) 384-8966

August 8, 2023

Eastern Heights Utilities, Inc.  
316 North Washington Street  
Bloomfield, Indiana 47424

CHECK PAID 2796  
AMOUNT 12403 00  
DATE 8-14-2023

Dear Tom, Chris and Tami:

The legal services for May 1, 2023, through August 7, 2023, are as follows:

05-01-23 Monday	After reviewing Joe's minutes for April learned of the Board's consideration to appoint Chris R. Wilson as General Manager this evening, I drafted a Resolution To Appoint Chris Wilson as General Manager.  Prepare a revised Corporate Authorization for the Banks that Eastern Heights utilizes which removed Mike Cahill and added Chris R. Wilson as an authorized individual that the Bank would recognize as having authority to make deposits, withdrawals, renew CDs, etc.  Attend the regular monthly Board of Directors meeting.	2 3/4
05-02-23 Tuesday	Phone conference with Tami and discussed the Corporate Authorization Form for Banks.	1/8
05-18-23 Thursday	Met with Chris Wilson.  Discussed lead based inventory issues as per information that Chris received from the EPA.  Also discussed the Excess Land Disposal by INDOT and that Loys was needing for me to determine if EHU had easements in certain locations.	



Locate e-mail from Loys. Reviewed.

Follow-up phone conference with Chris.

Attempt to call Loys.

Follow-up phone conference with Chris about him coming to my office with his laptop and the GIS finder.

Phone conference with Loys.

Meeting with Chris. Reviewed information in his laptop. We had a conference call with Kenny McIntosh to discuss the I-69 relocation projects and the easements obtained at that time.

Reviewed my prior years files to attempt to locate easements.

Found the easements. Reviewed legal description.

Draft letter to Loys with copy to Chris Wilson and enclose copies of the two (2) easements.

2 7/8

06-02-23  
Friday

Go to the EPA website and read and review the EPA Revised Lead And Copper Rule as well as the Lead And Copper Rule Revisions Service Line Inventory Guidance.

Review the Lead Pipe language created by Chris Wilson as to possible information to put on the Utilities website. Also reviewed the information he was considering to include on an actual survey form to be distributed to water utility customers.

Phone conference with Chris re: Lead Pipe Inventory Requirement and the language that he had drafted. Arrange to meet on Monday afternoon at my office.

2 1/4

06-05-23  
Monday

Preparation for and then meeting with Chris Wilson to discuss the Lead Pipe Inventory issues. Reviewed with him my suggested changes to the language that Chris had created. Learned from Chris that Lloys had discovered possible state or federal grant to pay our engineers to conduct the survey and prepare the lead pipe inventory for the Utility.

Preparation for upcoming Board of Directors meeting.

	Attend regular monthly Board of Directors meeting.	2 1/2
06-06-23 Tuesday	Research as to contact information for Eastern Greene School attorney and/or Superintendent.  Phone conference with Cari Helms, the central office secretary for Superintendent Trent Provo re: a possible agreement between the school and Eastern Heights Utilities as to installation of a water meter for the new soccer field and reserving the right to shut off the meter depending on the uses effect on the residential customer in that area.  Phone conference with Sam Drummy re: attorney position pursuant to the discussion at last nights Board Meeting. Sam Drummy recommended Luke Rowe for position. Spent some time reviewing websites for law firms in Bloomington re: a law firm that I might want to discuss with Tom McArtor.	1
06-07-23 Wednesday	Phone conference with Tom McArtor re: Luke Rowe.  Phone conference with Ed Winneweber re: Luke Rowe.  Phone conference with Luke Rowe re: attorney position.  Phone conference with Tom to discuss my conversations with Ed Winneweber and Luke Rowe.	1
06-07-23 Wednesday	Phone conference with Chris Wilson to let him know I had reached out to the Superintendent's Office for the Eastern Greene School District and spoke to Cari Helms, the personal Secretary for Trent Provo.  Follow-up phone conference with Chris to bring him up-to-date and the search for next local attorney for Eastern Heights Utilities.	1/4
06-12-23 Monday	Received phone message from Trent Provo that he would be out of the office on vacation until 06-19-23 and he would call me on 06-19-23.	0
06-20-23	Phone conference with Chris Wilson.	

Tuesday

Phone conference with Trent Provo, Superintendent of Eastern Schools.

Phone conference with Matthew Tarkington at Lewis & Capps Law firm. Discussed potential agreement between EHU and Eastern Schools regarding water meter at soccer field. The school wanted certain stipulations.

Phone conference with Chris Wilson to discuss the demands of Eastern School's lawyer as to the decision as to whether or not to shut off the water meter and as to when it would get turned back on.

Phone conference with Luke Rowe's secretary re: local lawyer position.

1

06-21-23  
Wednesday

Follow up phone conference from Matthew Tarkington.

Phone conference with Chris Wilson.

Phone conference with Tom McArtor.

Received and reviewed e-mail letter from Matthew Tarkington.

Draft e-mail letter response to Matthew Tarkington.

Phone conference with Jim Whitlatch with Bunger & Robertson law firm as to whether either his firm or some lawyer he knows may be a good lawyer fit to serve as local attorney for EHU.

Phone conference with Matthew Tarkington re: EHU and Eastern School issues.

Phone conference with Chris Wilson to discuss Eastern High School water issues. Also to discuss turn down by Luke Rowe and my discussion with Bunger & Robertson.

Phone conference with Tom McArtor as to my discussion with Bunger & Robertson as well as my turn down by Luke Rowe.

1 3/4

07-03-23  
Monday

Received and reviewed proposed contract amendments prepared by Wessler Engineering firm to be discussed at this evenings Board Meeting.



Additional preparation for this evenings Board Meeting.

Attended the monthly Board of Directors Meeting. 2 7/8

07-04-23 I went into office on this holiday and drafted  
Tuesday Agreement For Installation of Water Meter consistent with  
last night's board discussion. E-mail to Chris Wilson. 2 1/4

07-05-23 Phone conference with Chris Wilson to discuss my draft  
Wednesday of Agreement For Installation of Water Meter. Chris  
had forwarded a copy to Tom.

Phone conference with Tom McArtor who indicated that  
my draft of the Agreement was acceptable and to present  
it to the School's Attorney.

Draft e-mail letter to Matt Tarkington, lawyer for the school  
and forward my draft of the Agreement For Installation  
Of Water Meter to the school's attorney.

Phone conference with Matt Tarkington that the School  
would like to not be restricted to overnight sprinkling  
for the first 45 days or so, in order to get the grass  
established on the soccer field.

Phone conference with Chris to discuss possible change  
to Agreement to facilitate initial grass establishment.

Phone conference with Tom to discuss possible change  
to Agreement to facilitate initial grass establishment.

Draft an amendment to the Agreement to facilitate a  
change as to initial period not exceeding September  
1, 2023.

Phone conference with Matt Tarkington and dictate  
to him the language that was acceptable to me as  
far as an exception not to exceed Sept 1, 2023 so that  
the School could get their grass initially established. 2 1/4

07-06-23 Received by e-mail the Agreement as signed by officers of  
Thursday Eastern Greene High School.

Attempt to call Chris Wilson.

Draft e-mail to Chris.

Forward the Agreement as signed by school officers to Chris so he could get Tom and Joe to sign. 3/8

07-10-23 Monday Prepare some information and some records to deliver to new law firm, Jones, McGlassen & Siefers. 3 3/4

07-24-23 Monday Draft form of Permission to permit some records to be transferred to Jones, McGlassen & Siefers.

Phone conference with Chris Wilson

Met with Chris at my office so that he could sign the written Permission to transfer some records to the next local counsel law firm. 1/2

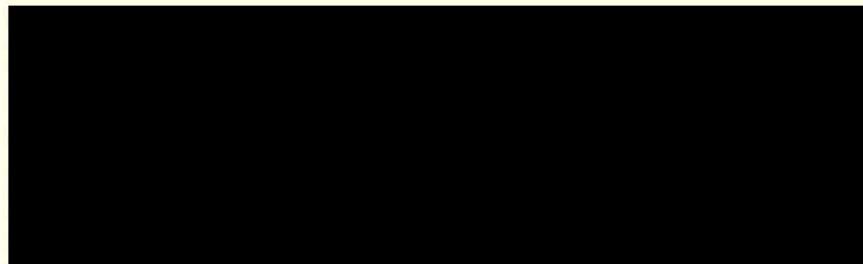
07-25-23 Tuesday Phone conference with Chris.



Phone conference with Kenny as to possible easements obtained around 1999 and possible location of water lines.

Begin search of the records in my office for recorded Easements in the general location as discussed with me, Chris and Kenny. 2 1/4

07-26-23 Met with County Surveyor as to possible printout of drawings in Taylor and Cass Townships where indicated by Kenny.



Review the copies of Easements obtained. Phone conference with Marvin Abshire that one of the descriptions in the Assignment Of Easements by the County to

Eastern Heights Utilities was not described correctly insofar as the instrument number was concerned. Marvin would obtain a Scrivenors Affidavit and forward it to me after it was recorded to fix the issue.

Go to Auditors Office to see what detail they could provide as to current owners of record.

Phone conference with attorney RD Jones to discuss Eastern Heights. Propose to meet with him on August 7, 2023, prior to the next Board Meeting.

Begin copying easements to provide copies to Chris Wilson

2 ¼

07-30-23  
Sunday

Go to office and located a printout for 2017 showing all recorded easements for Eastern Heights by document Instrument number, date recorded and book and page.

Prepare a summary of easements for Taylor and Cass Townships with the appropriate Section Numbers and Township and Range numbers reviewed with Chris last week.

Compare the summary to the recorded easements which I had located in the files in my office. Noted the recorded easement that I would look for in the Recorders Office tomorrow.

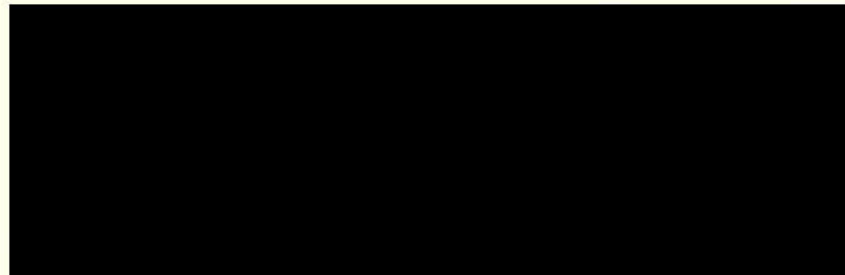
2 ½

07-31-23  
Monday

Go to the Recorders Office in Courthouse and looked for additional possible recorded easements in Taylor Township and Cass Township in the particular sections that Chris determined to be applicable last week.

Print out copies of recorded easements that I had not located in the files in my office.(advanced \$10.00).

Made copies of easements to deliver to Chris and retain a copy to deliver to RD Jones next Monday.







Phone conference with Chris asking him to come by so I could deliver to him copies of recorded easements in the area that I obtained.

2 ½

08-01-23  
Tuesday



Make additional copies of documents to give to RD Jones when we meet next Monday.

1 1/2

08-02-23  
Tuesday

Observed an e-mail sent to me by Loys came in on Monday reference whether or not the Utility has a recorded easements on certain parcel of real estate that INDOT will be auctioning in the near future.

Begin review of my easement files located in my office.

Phone conference with Kenny McIntosh to discuss what I-69 relocation project that the particular location identified by Loys might be a part of.

Finish review of the files in my office.

Go to the Greene County Recorders office and conduct a search as to owners of the real estate for the last 49 years and then examine each owner of record to see if any of them might have given the Utility an Easement.(advance \$2.00)

Draft a letter to Loys with a copy to Chris Wilson that it is my opinion that the Utility does not have a recorded Easement for the real estate in question.

2 1/2

08-07-23  
Monday

Preparation for this afternoon's meeting with RD Jones and his assistant.

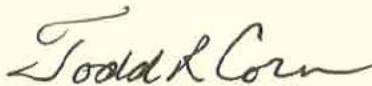
Meeting with RD Jones and his assistant and discuss  
My previous representation of Eastern Heights Utilities, Inc.  
and some of the things that are now maybe being considered  
by the Board. Review with him the various files  
that I was turning over to him this date.

1

Total Hours	42
Less Time Forgiven	<u>4</u>
Hours Billed	38
Rate per hour	<u>\$325.00</u>
Subtotal	12,350.00
Add out of pocket expenses: Paid to Recorder's Office for copies	<u>53.00</u>
Total Amount Due	<u>\$12,403.00</u>

If you have any questions about the foregoing, please let me know.

Sincerely,



Todd R. Corn

**Eastern Heights Utilities, Inc.**

YEAR OF REPORT

NAME OF UTILITY

December 31, 2023

**INSTRUCTION: Do Not Enter data in the Shaded Areas.**

**NONUTILITY PROPERTY (ACCT. 121)**

Report separately each item of property with a book cost of \$25,000 or more included in Account 121.  
Other items may be grouped by classes of property.

DESCRIPTION (a)	BEGINNING YEAR BALANCE (b)	ADDITIONS (c)	(RETIREMENTS) (d)	ENDING YEAR BALANCE (e) = (b)+(c)+(d)
Land and Building	\$216,569			\$216,569
<i>Total Nonutility Property.....</i>	\$216,569			\$216,569

**SPECIAL DEPOSITS (ACCTS. 132-133)**

Report hereunder all special deposits carried in Accounts 132 and 133.

DESCRIPTION OF SPECIAL DEPOSITS (a)	YEAR END BOOK COST (b)
SPECIAL DEPOSITS (ACCT. 132): N/A	
<i>Total Special Deposits.....</i>	
OTHER SPECIAL DEPOSITS (ACCT. 133): Reserve for Utility Plant Improvements	\$ 600,000
<i>Total Other Special Deposits.....</i>	\$600,000

**Q-3-6:** Was the “Reserve for Utility Plant Improvements” of \$600,000 (Account 133) set aside for specific capital projects? If yes, please identify each project for which these funds were reserved.

**Response:**

**The “Reserve for Utility Plant Improvements” of \$600,000 (Account 133) was set aside for projects included in Wessler Engineering’s “Engineer’s Opinion of Probable Project Cost” seven year projection summary as of March 2020 as prepared by Wessler Engineering. It was not set aside for any one specific project included in the list. Please see “Response to OUCG Q-3-6 - Probable Project Cost.pdf” for the listing of projects included on that list.**

**Q-3-7:** What is the current balance of the “Reserve for Utility Plant Improvements” as of July 31, 2024 or the most recent date available?

**Response:**

**Please see “Response to OUCG Q-3-7 - Cash Account Balances.pdf” for the balance of all EHU cash accounts for the months of December 2023 through July 2024.**

**Q-3-8:** Please provide all tank inspection reports completed since January 1, 2019.

**Response:**

**There have been two tank inspections done since January 1, 2019 - one for the Solsberry Tank and one for the Mount Zion Tank. Please see attached files “Response to OUCG DR Q-3-8 - Solsberry Tank Inspection Report.pdf” and Response to OUCG DR Q-3-8 - Mount Zion Tank Inspection Report.pdf”.**

**Q-3-9:** Please provide the detailed calculation of the Tank Rehabilitation and Inspection costs included in Table B-22 of the Asset Management Plan / Capital Improvement Plan, including the cost estimate for each tank. Please also provide any supporting documentation for the costs included.

**Response:**

**Please see attached file “Response to OUCG DR Q-3-9 - Tank Rehab and Inspection - Table B22.pdf”. As per the notes included in Table B22, the estimates are based on past similar projects as seen by Wessler Engineering.**

**Q-3-10:** See Schedule 6(f) of the Application. Applicant used the same Tank Painting/Cleaning cost estimate for each tank though the tanks range in size from 50,000 gal to 250,000 gal and the tanks include both standpipes and elevated storage tanks. Please explain why the cost would be the same for each tank.

**Response:**

	Dec-23	Jan-24	Feb-24	24-Mar	Apr-24	24-May	24-Jun	24-Jul
CASH ACCOUNTS								
1311 032387	97864.56	66380.29	60898.89	113858.68	117741.02	103694.41	54914.79	89764.97
1312. 041394	82377.61	35692.71	25251.33	29655.64	63844.67	45218.02	39253.59	67463.33
1313. Farmers & Mechan	46227.36	51976.2	29655.64	80831.15	52277.59	70411.06	66807.71	72863.61
1316. VANGUARD	311136.67	311136.67	311136.67	214882.15	215814.78	166782.48	167528.51	67528.51
1314 Construction Acct	437598.56	592117.71	582988.69	583432.17	388414.9	365781.13	361848.71	334089.67
1350. CD's	362867.49	244549.43	244549.43	244549.43	244549.43	244549.43	246128.68	246128.68
TOTAL	\$1,338,072.25	\$1,301,853.01	\$1,254,480.65	\$1,267,209.22	\$1,082,642.39	\$996,436.53	\$936,481.99	\$877,838.77
1271.00 FMHA RESERS	325332.00	325332.00	325332.00	325332.00	325332.00	325332.00	325332.00	325332
AVAILABLE CASH	\$1,012,740.25	\$976,521.01	\$929,148.65	\$941,877.22	\$757,310.39	\$671,104.53	\$611,149.99	\$552,506.77



## **II. Data Request**

**Q-3-1:** Please state when the Scada System Upgrade project was completed and placed into service.

- a. If not yet complete, please state when Applicant expects to complete this project and place it in service.
- b. Please state the total cost of the Scada System Upgrade project, including the portion funded by debt and the portion funded by cash on hand.

**Response:**

**The Scada System Upgrade project was completed and fully placed in service in May 2024. Total cost of the Scada System Upgrade was \$461,013.06. \$152,300 was funded by debt and the remaining amount was funded by cash on hand.**

**Q-3-2:** Please state the total dollar amount of rate case legal expense incurred to date or the most recent date practicable.

**Response:**

**Total rate case legal expense as of July 31, 2024, is \$20,050.00. Please see attached file “EHU Rate Case Expense as of 7-31-2024.xlsx”, which provides total rate case expense by category as of July 31, 2024.**

**Q-3-3:** Please provide copies of all rate case legal invoices with appropriate redactions.

**Response:**

**Please see attached file “Redacted EHU Rate Case Legal Expense Invoices as of 7-31-2024.pdf”.**

**Q-3-4:** Please state the total dollar amount of rate case accounting expense incurred to date or the most recent date practicable.

**Response:**

**Total rate case expense as of July 31, 2024, is \$76,912.56. Please see attached file “EHU Rate Case Expense as of 7-31-2024.xlsx”, which provides total rate case expense by category as of July 31, 2024.**

**Q-3-5:** Please provide copies of all rate case accounting invoices.

**Response:**

**Please see “EHU Rate Case Accounting and Other Invoices as of 7-31-2024.pdf”, which provides all rate case expense invoices for accounting and notice of filing publication/printing/postage relative to the rate case as of July 31, 2024.**

**STATE OF INDIANA**

**INDIANA UTILITY REGULATORY COMMISSION**

**APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES )  
THROUGH THE SMALL UTILITY ) CAUSE NO. 46084-U  
PROCEDURE PURSUANT TO IND. CODE § )  
8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )**

**PUBLIC'S EXHIBIT NO. 2**

**TESTIMONY OF KRISTEN WILLOUGHBY**

**ON BEHALF OF**

**THE INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR**

**September 18, 2024**

**TESTIMONY OF OUCC WITNESS KRISTEN WILLOUGHBY**  
**CAUSE NO. 46084-U**  
**EASTERN HEIGHTS UTILITES, INC.**

**I. INTRODUCTION**

1 **Q: Please state your name and business address.**

2 A: My name is Kristen Willoughby, and my business address is 115 West Washington  
3 Street, Suite 1500 South, Indianapolis, Indiana 46204.

4 **Q: By whom are you employed and in what capacity?**

5 A: I am employed by the Indiana Office of Utility Consumer Counselor (“OUCC”) as  
6 a Utility Analyst in the Water/Wastewater Division. I described my qualifications  
7 and experience in Appendix A.

8 **Q: What is the purpose of your testimony?**

9 A: I recommend an Eastern Heights Utilities, Inc. (“Eastern Heights” or “Applicant”)  
10 periodic maintenance expense of \$383,617 per year. I recommend Applicant set  
11 aside \$318,933 of its revenues each year and restrict use of those funds to  
12 performing tank inspection, cleaning, painting and maintenance. I recommend an  
13 extensions and replacements (“E&R”) revenue requirement of \$697,250 per year.  
14 I recommend Eastern Heights submit a summary of E&R projects completed each  
15 year as part of its annual report to the IURC.

16 **Q: What did you do to prepare your testimony?**

17 A: I reviewed Eastern Heights’ application. I reviewed the Indiana Utility Regulatory  
18 Commission’s (“Commission” or “IURC”) Final Order in Cause No. 45435-U  
19 issued April 7, 2021, which established Eastern Heights’ current rates and charges.  
20 I reviewed Eastern Heights’ annual reports to the IURC for years 2015 through

1 2023. I prepared data requests and reviewed Eastern Heights' responses. On July 9,  
2 2024, I met with Mr. Chris Wilson and Mrs. Jessica Hall. I viewed several of  
3 Applicant's above-ground water utility facilities, including the water treatment  
4 locations, three well fields, three booster stations, five water storage tanks, storage  
5 facilities, and Applicant's lab / office. I took pictures of those facilities, which I  
6 present in Attachment KW-01 to this testimony.

7 **Q: If your testimony does not address a specific topic, issue, or item, should it be**  
8 **construed to mean you agree with Petitioner's proposal?**

9 A: No. My silence on any issue should not be construed as an endorsement. Also, my  
10 silence in response to any actions or adjustments stated or implied by Petitioner  
11 should not be construed as an endorsement.

12 **Q: Does your testimony include attachments?**

13 A: Yes. My testimony includes the following attachments:

- 14 • OUCC Attachment KW-01: Photos of Eastern Heights' System.
- 15 • OUCC Attachment KW-02: Eastern Heights' 2024 Asset Management Plan &  
16 Capital Improvements Plan.
- 17 • OUCC Attachment KW-03: AWWA M42 Manual Steel Water Storage Tanks  
18 Revised Edition p. 108.
- 19 • OUCC Attachment KW-04: Applicant's response to OUCC DR 2-4.
- 20 • OUCC Attachment KW-05: Applicant's response to OUCC DR 2-2.
- 21 • OUCC Attachment KW-06: Applicant's response to OUCC DR 2-3.
- 22 • OUCC Attachment KW-07: E&R projects completed since 45435-U.
- 23 • OUCC Attachment KW-08: Utility Dashboard, showing operational statistics  
24 based upon Eastern Height's IURC Annual Reports from 2015-2023.
- 25 • OUCC Attachment KW-09: Applicant's response to OUCC DR 4-12.
- 26 • OUCC Attachment KW-10: Applicant's response to OUCC DR 5-1.

**II. APPLICANT'S CHARACTERISTICS**

1 **Q: Please describe Applicant's characteristics.**

2 A: Applicant is a not-for-profit water utility providing water service to approximately  
3 7,444 customers in portions of Greene, Owen, Monroe, Lawrence, Martin, and  
4 Daviess Counties.<sup>1</sup> Applicant's current source of supply consists of nine wells  
5 divided between three well fields. Applicant has three treatment plants that inject  
6 chemicals to treat and disinfect the water at each well field. Applicant's storage and  
7 distribution system consists of one cistern, thirteen storage tanks, seven booster  
8 stations, and an estimated 493 miles of water main. Eastern Heights provides fire  
9 protection in some areas of its distribution system.<sup>2</sup>

10 **Q: Does Applicant have adequate storage capacity?**

11 A: Yes. Eastern Heights currently has a total storage capacity of 1,560,000<sup>3</sup> gallons.  
12 With total average sales in 2023 of 1,210,110<sup>4</sup> gallons per day, Eastern Heights  
13 meets the Ten States Standards recommendation that total water storage be able to  
14 meet average day demands.<sup>5</sup>

---

<sup>1</sup> 2023 Annual Report, page W-1, Year End Customer Numbers. Customers year-end includes private fire protection and irrigation customers.

<sup>2</sup> Asset Management Plan & Capital Improvements Plan, June 2024, p 11, 13, 24,33-38, 40

<sup>3</sup> 2023 Annual Report, page W-7, 50,000+60,000+(100,000 x 7) + 150,000+150,000+200,000+250,000= 1,560,000 gallons. Note: The Cistern was not included in this total.

<sup>4</sup> 2023 Annual Report page W-6. 441,690,000 / 365 = 1,210,110 gallons per day

<sup>5</sup> The Great Lakes – Upper Mississippi River Board of State and Provincial Public Health and Environmental Managers Recommended Standards for Water Works (“Ten States Standards”), Section 7.0.1 Sizing of Finished Water Storage.

**III. PERIODIC MAINTENANCE**

1 **Q: What is Eastern Heights' proposed adjustment to Periodic Maintenance**  
2 **expense?**

3 A: During the test year, Applicant spent \$275,091 on periodic maintenance. As a *pro*  
4 *forma* revenue requirement, Eastern Heights proposes to increase these annual  
5 expenditures to \$408,150, which is an increase of \$133,059 over test year expense.  
6 Applicant's Schedule 6(f) shows how this amount will be expended:

Periodic Maintenance Item	Annual Amount
Tank Painting, Cleaning, and Inspection	\$343,467
Well Cleaning and Maintenance	\$60,000
Booster Pump maintenance	\$4,684
Total	\$408,150
Less test year amount	(\$275,091)
Increase	\$133,059

7 **Q: Is it reasonable for Applicant to incur expenses to perform periodic**  
8 **maintenance?**

9 A: Yes. Water utilities need to perform periodic maintenance on their capital assets.  
10 Periodic maintenance will allow Eastern Heights to continue to operate its facilities  
11 and prevent early termination of assets.

**A. Tank Painting, Cleaning and Inspection**

12 **Q: Do you accept Applicant's *pro forma* expense of \$343,467 for the tank**  
13 **painting, cleaning and inspection item?**

14 A: No. The Bloomfield Cistern ("Cistern") is currently in use as reserve storage for  
15 emergencies. The Cistern is drained and refilled twice a year. Allowing the aged  
16 water from the Cistern into Eastern Height's system is a water quality concern even

1 if it is just used in emergency situations.<sup>6</sup> Once water from the Cistern is pumped  
2 into the system, there is no way Eastern Heights can ensure all water from the  
3 Cistern is used for a fire and none is used as drinking water or other potable  
4 purposes. The Cistern is also listed in Eastern Heights' Asset Management Plan &  
5 Capital Improvements Plan 20-year plan as an asset that needs to be demolished.<sup>7</sup>  
6 Since the Cistern is rarely used and scheduled for demolition, I recommend Eastern  
7 Heights take the Cistern out of service while it is waiting to be demolished. I  
8 recommend that the annual cost to maintain it (\$24,533) not be recovered in rates,  
9 and Applicant's *pro forma* annual periodic maintenance expense for the tank  
10 maintenance and cleaning be reduced by \$24,533<sup>8</sup> to \$318,933<sup>9</sup> annually.

11 **Q: Is it reasonable for Applicant to incur expenses for tank inspections?**

12 A: Yes. The American Water Works Association ("AWWA") M-42 Manual for Steel  
13 Water-Storage Tanks states that tanks "should be inspected at least once every 3-5  
14 years."<sup>10</sup> According to information obtained in response to OUCC DR 2-4, Eastern  
15 Heights has not historically inspected all their storage tanks as frequently as  
16 recommended.<sup>11</sup> Eastern Heights is requesting funds to inspect three storage tanks  
17 per year in this cause. This proposed frequency would ensure each of Eastern  
18 Heights' thirteen water storage tanks is inspected once every 3-5 years. To ensure  
19 funds are available to conduct inspections of three tanks per year and painting /  
20 maintenance on one tank per year, I recommend the Commission require Applicant

---

<sup>6</sup> OUCC Attachment KW-02, p. 42.

<sup>7</sup> OUCC Attachment KW-02, p. 3.

<sup>8</sup> \$368,000 / 15 years = \$24,533 per year

<sup>9</sup> \$343,467 - \$24,533 = \$318,933 per year

<sup>10</sup> Page 108 from AWWA M-42 included as OUCC Attachment KW-03.

<sup>11</sup> Response to OUCC DR 2-4 is included as OUCC Attachment KW-04.

1 to set aside \$318,933 of its revenues each year and restrict use of those funds to  
2 performing tank inspection, cleaning, painting and maintenance.

**B. Well Cleaning and Maintenance Expense**

3 **Q: Did you make any adjustments to Eastern Heights' proposed well cleaning and**  
4 **maintenance expense?**

5 A: No. I agree that \$60,000 per year is a reasonable well cleaning and maintenance  
6 expense.

**C. Booster Pump Maintenance Expense**

7 **Q: Did you make any adjustments to Eastern Heights' proposed booster pump**  
8 **maintenance expense?**

9 A: No. I agree that \$4,684 per year is a reasonable booster pump maintenance expense.

10 **Q: What do you recommend for *pro forma* periodic maintenance expense, which**  
11 **includes tank painting, cleaning and inspection expenses; well cleaning and**  
12 **maintenance expenses; and booster pump maintenance expense?**

13 A: I recommend the Commission approve \$383,617 per year in *pro forma* Periodic  
14 Maintenance expense. This would result in a \$108,526 adjustment (increase) to  
15 Eastern Heights' test year Periodic Maintenance expense of \$275,091.  
16 Additionally, I recommend the Commission require Eastern Heights to set aside  
17 \$318,933 of its revenues each year and restrict use of those funds to performing  
18 tank inspection, cleaning, and maintenance to ensure the funds are available when  
19 needed to meet those needs and achieve the reasonable useful lives of those assets.



**IV. EXTENSIONS AND REPLACEMENTS**

1 **Q: Why has Eastern Heights proposed an extensions and replacements revenue**  
2 **requirement?**

3 A: According to Indiana Code § 8-1-2-125(c), which applies to not-for-profit utilities,  
4 a reasonable and just charge for water service is a charge that will produce sufficient  
5 revenue to pay all legal and other necessary expense incident to the operation of the  
6 not-for-profit utility's system including "provision for making extensions and  
7 replacements." IC § 8-1-2-125(c)(7).

8 **Q: What is Eastern Heights' current E&R revenue requirement?**

9 A: In Cause No. 45435-U (Applicant's last rate case), Eastern Heights proposed to  
10 fund several projects using requested E&R funds. In the final order in Cause No.  
11 45435-U Eastern Heights was approved an E&R revenue requirement of \$424,751  
12 per year beginning in April 2021. Thus, over the course of three years, Eastern  
13 Heights was authorized to collect \$1,274,253.<sup>12</sup>

14 **Q: Has Eastern Heights completed the projects from Cause No. 45435-U?**

15 A: No. Priorities can shift for a utility over the life of their rates with the result that  
16 other projects become more important and proposed projects get delayed.  
17 Applicant's response to DR 2-2 shows which of those projects were completed and  
18 the final cost.<sup>13</sup> Based on information provided by Eastern Heights in response to  
19 OUCC DR 2-2<sup>14</sup> and DR 2-3<sup>15</sup>, Applicant spent \$692,868.02 on E&R projects since  
20 the final order was issued in Cause No. 45435-U.<sup>16</sup> Therefore, \$581,384.98 of E&R

---

<sup>12</sup> \$424,751 x 3 = \$1,274,253

<sup>13</sup> Included as OUCC Attachment KW-05.

<sup>14</sup> OUCC Attachment KW-05.

<sup>15</sup> OUCC Attachment KW-06.

<sup>16</sup> OUCC Attachment KW-07. Note: Costs associated with the SCADA system and replacement of Booster Station #2 were excluded since 100% of those costs are discussed in this Cause No.

1 revenue collected from customers was not spent on capital improvements over the  
2 three years.<sup>17</sup> OUCC Attachment KW-07 lists projects completed in lieu of some  
3 of those proposed in Cause No. 45435-U and their costs.

4 **Q: Were any proposed E&R projects from Cause No. 45435-U funded in a**  
5 **different manner?**

6 A: Yes. As part of this Cause, Applicant is requesting some E&R funding for the new  
7 SCADA system and has taken out a loan to finance replacement of Booster Station  
8 #2 and to pay for the remainder of the new SCADA system.

9 **Q: What has Eastern Heights proposed for its extensions and replacements**  
10 **revenue requirement in this case?**

11 A: According to Schedule 7 of its Small Utility Rate Application, Eastern Heights  
12 requests \$792,483 per year for its extensions and replacements (“E&R”) revenue  
13 requirement, which is based on the following projects:

Description	Total Cost
Meter Replacement	\$675,000
Main Replacements	\$750,000
Hydrant Replacement	\$90,000
Asset Management Plan	\$63,000
SCADA System Upgrade	\$72,700
Vehicles	\$264,000
Excavator Trades	\$24,000
Lead Line Replacement	\$438,750
Total	\$2,377,450
Life of the Rates	3
Annual Amount	\$792,483

---

<sup>17</sup> OUCC Attachment KW-07.

1 **Q: Did Eastern Heights provide any additional cost support for its proposed E&R**  
2 **revenue requirement in its Small-Utility Application?**

3 A: No additional support was included for the above items in its Small-Utility  
4 Application. However, through the discovery process, the OUCC sought and  
5 received additional information about the proposed E&R projects.

6 **Q: Do you have any concerns about the capital improvements to be funded by the**  
7 **E&R revenue requirement?**

8 A: Yes. Eastern Heights identified the capital improvements it intends to complete  
9 over the next three years with the funds from its requested E&R revenue  
10 requirement. Most of these capital projects appear to be reasonable, and the projects  
11 should enhance the utility's ability to effectively and efficiently serve its customers.  
12 However, as discussed in OUCC witness Thomas Malan's testimony, the Asset  
13 Management Plan & Capital Improvements Plan (\$63,000) is an operational  
14 expense, and the cost of the Asset Management Plan & Capital Improvements Plan  
15 should be removed from the calculation of the E&R revenue requirement. Mr.  
16 Malan also discusses the removal of the SCADA System Upgrade from the E&R  
17 revenue requirement since the project was completed and fully funded before the  
18 end of the adjustment period.

19 **Q: Do you consider the remaining proposed projects to be reasonable?**

20 A: Yes. Each of these capital projects appear to be reasonable, and the projects should  
21 enhance the utility's ability to effectively and efficiently serve its customers.

1 **Q: Do you have any recommendations regarding Applicant's proposed E&R**  
2 **revenue requirement based upon its historical expenditures?**

3 A: Yes. I recommend that the Commission approve \$697,250 per year for Eastern  
4 Heights' E&R revenue requirement.<sup>18</sup>

5 **Q: Do you have any recommendations regarding the tracking of E&R projects?**

6 A: Yes. I recommend that in its annual report to the IURC, Eastern Heights identify  
7 E&R projects completed each year. Eastern Heights should describe the project,  
8 state the year completed and state the total capital improvement cost.

#### V. WATER LOSS

9 **Q: What is "water loss" as it pertains to a utility's operations?**

10 A: As used in IURC annual reports, "water loss" means the difference between the  
11 total volume of water pumped and purchased by the water utility and the total  
12 volume of water sold to customers or used for backwash, flushing mains, street  
13 cleaning/sewer flushing, or other authorized consumption. Water loss may  
14 generally be attributed to leaks or inaccurate measurement of consumption.

15 **Q: How does water loss affect a utility's costs and operations?**

16 A: Whether finished water is metered, used for operations or lost through leaks, the  
17 cost to produce the water is included in the utility's test year expenses. The cost to  
18 produce water that is lost through leaks is a cost paid by all customers through  
19 higher rates. Water loss caused by inaccurate or slow meters presents a different  
20 dynamic. Water "lost" through under recording is nonetheless consumed, and  
21 therefore, the actual cost to produce that unrecorded water is not avoided by more  
22 accurate meters. However, removing inaccurate meters avoids subsidization among

---

<sup>18</sup> The calculation to get to this E&R revenue requirement is included in Mr. Malan's testimony.

1 customers and allows the utility to both recognize that water is being lost through  
2 leaks and measure its success in mitigating that problem.

3 **Q: What is Eastern Heights' current water loss?**

4 A: According to its IURC annual reports, Eastern Heights' water loss has been at or  
5 below 13% since at least 2015.<sup>19</sup>

6 **Q: How many main breaks has Eastern Heights repaired the last three years?**

7 A: Eastern Heights repaired 43 main breaks in 2021, 49 main breaks in 2022, 54 main  
8 breaks in 2023, and 23 main breaks in 2024 (YTD through August 16, 2024).<sup>20</sup>

9 **Q: Has Eastern Heights ascertained the cause of its water main breaks and leaks?**

10 A: Yes. As stated in response to OUCC DR 5-1, Eastern Heights believes most of its  
11 water main breaks and leaks are caused by the following:<sup>21</sup>

- 12 1.) age and condition of our infrastructure;
- 13 2.) very rocky soil;
- 14 3.) tree roots;
- 15 4.) high pressure areas combined with the above;
- 16 5.) in a few cases ductile iron mains have leaked due to corrosive soil
- 17 types;
- 18 6.) other utilities, contractors, citizens damaging main while digging,
- 19 setting poles, directional boring

20 **Q: Please describe Applicant's efforts to reduce its water loss?**

21 A: Yes. Despite the higher number of main breaks, Eastern Heights has maintained a  
22 water loss under 15% for the last several years suggesting Eastern Heights has taken  
23 appropriate steps to prevent and reduce water loss. I recommend Applicant continue  
24 to employ these activities to reduce its water loss. While Eastern Heights has  
25 maintained a lower water loss, other costs associated with a high number of main

---

<sup>19</sup> See "Percent Water Loss" chart in Attachment KW-08.

<sup>20</sup> Information from Response to OUCC DR 4-12, included as OUCC Attachment KW-09.

<sup>21</sup> Eastern Heights' full response to OUCC DR 5-1 is included as OUCC Attachment KW-10.

1 breaks are being incurred such as increased engineering expenses. Eastern Heights  
2 proposed E&R revenue requirement includes \$750,000 over three years to  
3 complete main replacements. Subject to the need to reprioritize due to exigent  
4 circumstances, Eastern Heights should strive to use the entire \$750,000 for main  
5 replacements.

## VI. OUCC RECOMMENDATIONS

6 **Q: Please summarize your recommendations in this Cause.**

7 A: I recommend the Commission approve \$383,617 per year in Periodic Maintenance  
8 expense. I recommend the Commission require \$318,933 per year be set aside and  
9 that use of such funds be restricted to paying for tank inspection, cleaning, and  
10 maintenance. I recommend the Commission require Eastern Heights to submit a  
11 summary of E&R projects completed each year as part of its annual report. I  
12 recommend the Commission approve \$697,250 per year in E&R revenue  
13 requirement.

14 **Q: Does this conclude your testimony?**

15 A: Yes.

**APPENDIX A**

1 **Q: Please describe your educational background and experience.**

2 A: I graduated from Indiana University with a Bachelor of Science degree in Biology  
3 and a Master of Public Affairs (“MPA”) concentrating in Environmental  
4 Management. My graduate coursework included studying how water pollution  
5 affects aquatic ecosystems, environmental rules and regulations, toxicology, risk  
6 analysis, epidemiology, finance and budgeting, economics, statistics, public  
7 management, and other courses on how pollution affects human health and the  
8 environment. After graduating with my MPA, I was hired as an Environmental  
9 Manager (EM2) by the Indiana Department of Environmental Management, Office  
10 of Air Quality, Permits Branch in 2006 where I analyzed projects for a variety of  
11 industries, calculated the air emissions associated with those projects, determined  
12 applicable state and federal rules, and drafted federally enforceable air permits. I  
13 was promoted to a Senior Environmental Manager (SEM1) about one year later. I  
14 held this position for more than ten years. As an SEM1, I worked on complex permit  
15 projects, trained and mentored staff, reviewed staff’s work, and developed  
16 templates, guidance, and training materials. Since joining the OUCC in 2018, I have  
17 attended numerous utility related seminars and workshops including the National  
18 Association of Regulatory Utility Commissioners (“NARUC”) Western Utility  
19 Rate School.

**AFFIRMATION**

I affirm the representations I made in the foregoing testimony are true to the best of my knowledge, information, and belief.



---

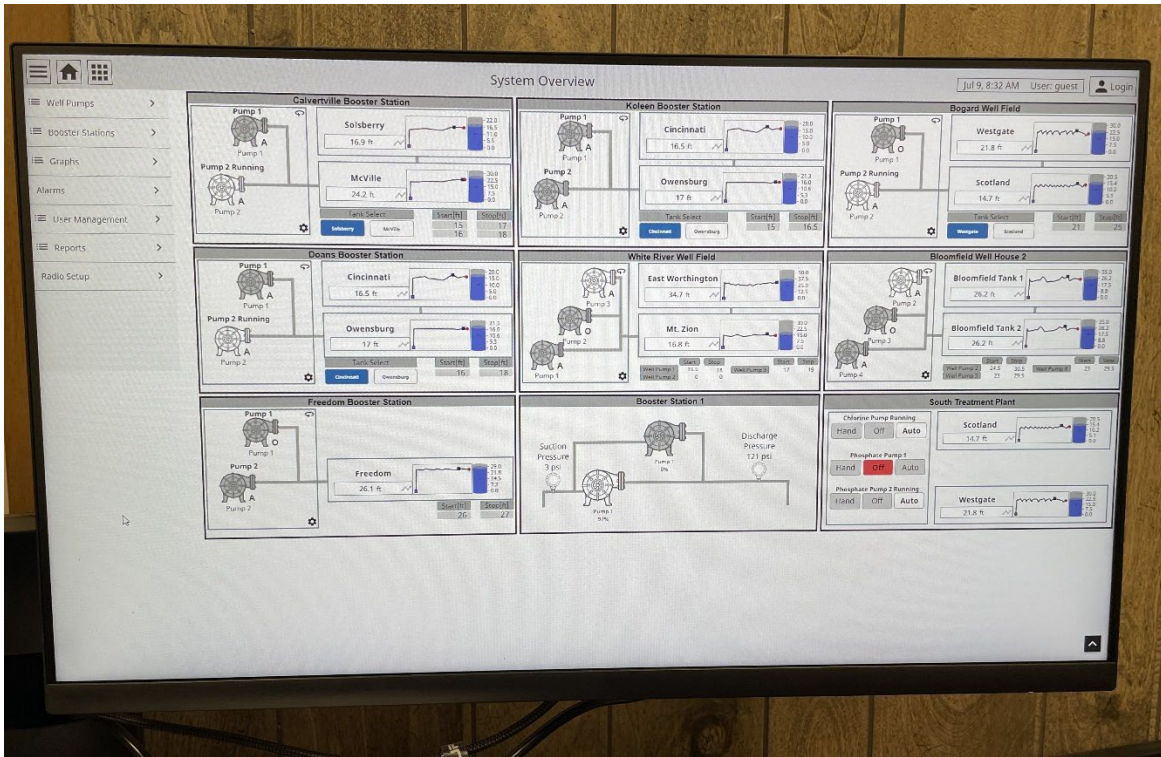
By: Kristen Willoughby  
Cause No. 46084-U  
Office of Utility Consumer Counselor (OUCC)

Date: September 18, 2024





Main Office



New SCADA Screen





Lab





Storage 1



Storage 2





Bloomfield Tank 200,000 gal.





Bloomfield Standpipe 60,000 gal.





Old Booster Station #2





New Booster Station #2 Exterior



New Booster Station #2 Interior





Cincinnati Tank 100,000 gal.





Bloomfield Wellfield





Bloomfield Wellfield Water Treatment Plant Exterior



Bloomfield Wellfield Water Treatment Plant Interior #1





Bloomfield Wellfield Water Treatment Plant Interior #2



Bloomfield Wellfield Water Treatment Plant Interior #3





Mt. Zion Tank 100,000 gal.





Freedom Tank 100,000 gal.





White River Wellfield Water Treatment Plant Exterior



White River Wellfield Water Treatment Plant Interior #1





White River Wellfield Water Treatment Plant Interior #2



White River Wellfield Water Treatment Plant Interior #3





White River Wellfield Water Treatment Plant Interior #4



Bogard Bottoms Wellfield





Bogard Bottoms Wellfield Water Treatment Plant Exterior



Bogard Bottoms Wellfield Water Treatment Plant Interior





Doans Booster Station Exterior



Doans Booster Station Interior

*OUCC ATTACHMENT KW-02*  
*FILED SEPARATELY*

- at the start of the application of the primer coat
- before the finish coat is applied
- once work is completed, to verify final coating thicknesses, acceptability of application, continuity of interior coatings, and acceptability of the exterior coatings' appearance.

Because it is difficult to know exactly what took place between inspections, the professional performing spot inspections may have to do a considerable amount of research. Full-time inspection of tank coating is recommended because of (1) the technical nature of tank coatings, (2) the need to comply with environmental regulations, and (3) the need to apply coatings intended for potable water contact in such a manner as to maintain the product's certification according to NSF/ANSI 61.

Unit-price work and work being done by change order should be performed in the presence of the purchaser to ensure the work is being done in the owner's best interest.

## PERIODIC REINSPECTION

Once the three phases of tank maintenance have been completed and the first-anniversary inspection has been performed, the tank should be inspected at least once every 3 to 5 years or as required by state regulatory agencies.

Three methods of evaluating tank interiors are currently popular: a drained "dry" evaluation, an underwater evaluation performed by divers, and a robotic inspection.

The dry evaluation is the most thorough evaluation, as the tank can be washed out and the mud and debris removed from the interior surfaces before the inspection. Specially trained technicians can get to the necessary surfaces on the tank by rigging and rappelling the interior as required by the condition of each tank.

When the tank cannot be drained, an underwater evaluation of the tank interior may be performed. The diving evaluation should include a careful study of the tank's interior wet surfaces by a Certified Commercial Diver who is experienced in the inspection of water tanks. When performing an underwater evaluation, the diver should use a full dry suit and full-face diving mask to prevent contamination of the potable water. Prior to entering the tank, the diver and all equipment are thoroughly disinfected in accordance with ANSI/AWWA C652-11. The tank must be isolated from the water system and all connecting valves locked out.

The third type of evaluation is a remotely operated vehicle (ROV) inspection of the tank interior. This type of evaluation utilizes a robotic device, guided and monitored by a specially trained field technician, to videotape the tank interior. The video should then be reviewed by a professional engineer experienced in water tank evaluation to determine the condition of the interior surfaces.

These inspections will turn up minor deficiencies that can be corrected before they become major, expensive, and time-consuming problems. Cathodic protection may be installed to protect the steel from metal loss in case small coating failures develop. Repairs and cathodic protection can significantly extend the life of a coating system. With periodic inspection, cleaning, and touchup work, a steel tank can remain in service for many decades without major renovation.

**Q-2-4:** For each storage tank please fill in the table below:

Tank ID	Size	Date Last Painted	Cost for Paining & Any Repairs	Date Last Inspected	Who Last Inspected the Tank?

**Response:**  
Please see attached file “Response to OUCC DR Q-2-4 Tank Information.xlsx” for a list of tanks and information requested.

9/4/2024  
1:14 PM

**Eastern Heights Utilities, Inc.  
316 West Washington Street  
Bloomfield, Indiana 47424**

**Response to OUCC DR Q-2-4 - Storage Tank Information**

<b>Line Number</b>	<b>Tank ID</b>	<b>Tank Size (Gallons)</b>	<b>Date Last Painted</b>	<b>Cost for Painting and Any Repairs</b>	<b>Date Last Inspected</b>	<b>Who Last Inspected the Tank?</b>
1.	Bloomfield Elevated Tank	200,000	2018	\$ 92,500	2016	Pittsburgh Tank
2.	Bloomfield Standpipe	60,000	2001	16,025	2001	Select Coating
3.	Bloomfield Cistern (*)	90,000	2011	EHU Cleaned and Painted 2011	Unknown	Unknown
4.	Booster Station 1 Ground Storage Tank	50,000	2005	44,690	2005	Kessler
5.	Mount Zion	100,000	2009	44,450	2023	Leary
6.	Cincinatti	100,000	2005	44,690	2020	Pittsburgh Tank
7.	Solsberry	100,000	2023	225,642	2020	Pittsburgh Tank
8.	McVille	150,000	1995	5,760	Unknown	Unknown
9.	Owensburg	100,000	2021	143,775	2016	Pittsburgh Tank
10.	Scotland	100,000	2022	173,000	2020	Pittsburgh Tank
11.	Westgate	250,000	2013	New in 2013	N/A	N/A
12.	East Worthington	100,000	2019	169,675	2016	Pittsburgh Tank
13.	West Worthington	150,000	2015	New in 2015	N/A	N/A
14.	Freedom	100,000	2000	None	2016	Pittsburgh Tank

15.

16. (\*) The Bloomfield Cistern Tank is not for use in the water distribution - it is for use only for emergency fire suppression.

**Q-2-2:** Reference Petitioner’s Application Schedule 7 from Cause No.45435-U, which listed the proposed 2020-2024 Capital Improvements Projects for which funding was included in the final order:

1. SCADA Improvements
2. Bloomfield Wellfield Generator
3. Trailer Generator
4. Booster Station #2 Replacement
5. US 231 Water Main Relocation
6. Water Main Replacement - Hobbieville
7. Vehicle Replacements – 1 Per Year
8. SR 58 Water Services Tie-Overs

For each of the eight proposed projects, please provide the following:

- a. Completion status. (If a project has not been completed, please explain why the project has not been completed.)
- b. Dates that work began or will begin and be completed for projects that have not been completed.
- c. Description of completed projects including any changes from what was originally proposed.
- d. Date the projects were put in service.
- e. Total project costs.

**Response:**

**Please see attached file “Response to OUCC DR Q-2-2 Capital Improvements Projects.xlsx” for information.**

9/4/2024  
1:17 PM

**Eastern Heights Utilities, Inc.**  
**316 West Washington Street**  
**Bloomfield, Indiana 47424**

**Response to OUCC DR Q-2-2 - Capital Improvements Projects**

<b>Line Number</b>	<b>Project Description</b>	<b>Completion Date</b>	<b>Other Description</b>	<b>Capital Improvement Plan Estimate</b>	<b>Total Project Costs</b>	<b>Difference</b>	<b>Reason for Difference</b>
1.	SCADA Improvements	2024	Replaced antiquated and failing SCADA system from the 1980's	\$ 275,000.00	\$ 458,953.00	\$ 183,953.00	Unanticipated Increase in costs
2.	Bloomfield Wellfield Generator	N/A	Not purchased due to lack of funds	222,000.00	-	(222,000.00)	Not purchased due to lack of funds
3.	Trailer Generator	N/A	Not purchased due to lack of funds	100,000.00	-	(100,000.00)	Not purchased due to lack of funds
4.	Booster Station #2 Replacement	In Progress	Project started in October 2023; to be completed in August 2024; replace 1973 booster station that is past its useful life	500,000.00	847,700.00	347,700.00	Unanticipated Increase in costs
5.	US 231 Water Main Relocation	2020	Relocation of 6" main due to bank sliding off along highway	137,125.00	135,315.00	(1,810.00)	N/A
6.	Water Main Replacement - Hobbieville	N/A	Not completed due to lack of funds (Year 4 project in 2020 rate case filing)	656,000.00	-	(656,000.00)	Not completed due to lack of funds
7.	Vehicle Replacements - 1 per Year	Ongoing	Two trucks purchased in 2021; one in 2022; one in 2024. Two 1/2 ton trucks and two 3/4 ton trucks purchased	61,000.00	196,251.00	135,251.00	Cost/year is \$61,000 in estimate
8.	SR 58 Water Services Tie-Overs	2021	Tie over of services on old 3" line to new 8" main due to many leaks on 3" line	150,000.00	147,525.00	(2,475.00)	N/A



**Q-2-3:** Please provide the following for Capital Improvements Projects not included in the previous question that were completed between 2020-2024 with rates granted in Final Order No. 45435-U:

- a. Dates that work began.
- b. Description of completed projects.
- c. Date the projects were put in service.
- d. Total project costs.

**Response:**

**Please see attached file “Response to OUCC DR Q-2-3 Other Capital Improvements .xlsx” for a list of other capital improvement projects.**

9/5/2024  
11:03 AM

**Eastern Heights Utilities, Inc.  
316 West Washington Street  
Bloomfield, Indiana 47424**

**Response to OUCC DR Q-2-3 - Other Capital Improvements Completed**

<b>Line Number</b>	<b>Project Description</b>	<b>Other Description</b>	<b>Install Date</b>	<b>Equipment Costs</b>	<b>Other Costs</b>	<b>Total Capital Improvement Cost</b>
1.	HVAC System for Doans Booster Statiion	System bought in Fall 2023; installed in Summer 2024	2024	\$ 14,524.00	\$ -	\$ 14,524.00
2.	Equipment Trailer	For hauling mini excavator to job sites	2023	16,818.25	-	16,818.25
3.	John Deere Lawn Mower	For lawn maintenance	2023	12,356.00	-	12,356.00
4.	Hydrant Replacement - Worthington	ISI Hydrastop - \$9,200; Hydrant \$3,005	2024	9,200.00	3,005.00	12,205.00
5.	Hydrant Replacement - Bloomfield	ISI Hydrastop - \$7,150; Valve and Hydrant \$2,266	2024	7,150.00	2,266.00	9,416.00
6.	New Chlorine Pump for Bloomfield Plant	Purchased from Living Waters	2024	2,375.00	-	2,375.00
7.	New impeller and chack valve	Freedom Booster	2023	1,771.52	-	1,771.52
8.	New 4" Master Meter - Worthington Wellfield	Midwest Meters	2023	3,158.00	-	3,158.00
9.	Chlorine Equipment	Living Waters	2024	6,529.23	-	6,529.23
10.	8" wheel valve for Bloomfield pump building	Waller Company	2022	1,887.25	-	1,887.25
11.	Replace Koleen Booster Pump 2 Discharge Valve	Bastin-Logan	2024	6,596.00	-	6,596.00
12.	New Regulator on Owensburg Main	Waller's Company	2023	12,607.00	-	12,607.00
13.	Replace failed power poles between buildings	Bloomfield wellfield - ARC Electric	2023	3,000.00	-	3,000.00
14.	Cut Sheet Cutter and Slitter - Office Use	ABC Office	2020	9,054.00	-	9,054.00
15.	310' of 3" water line installed via directional drilling	ISI Infrastructure Systems Inc.	2020	9,920.00	-	9,920.00
16.	250' of 2" water line installed via directional drilling	ISI Infrastructure Systems Inc.	2020	7,500.00	-	7,500.00
17.	Installation of 6" line with 2-8" line stops, meter vault, 2-8" gate valves	ISI Infrastructure Systems Inc.	2020	55,700.00	-	55,700.00
18.	Generator Installation and Maintenance	MacAllister Cat/Evapar	Various	28,359.77	-	28,359.77
19.						-
20.	<b>Total Other Capital Improvements:</b>			<u>208,506.02</u>	<u>5,271.00</u>	<u>213,777.02</u>

**E&R Projects Completed Since 45435-U  
Eastern Heights Utilites, Inc.**

<b>Project Description</b>	<b>Other Description</b>	<b>Total Capital Improvement Cost</b>
HVAC System for Doans Booster Station	System bought in Fall 2023; installed in Summer 2024	\$ 14,524.00
Equipment Trailer	For hauling mini excavator to job sites	16,818.25
John Deere Lawn Mower	For lawn maintenance	12,356.00
Hydrant Replacement - Worthington	ISI Hydrastop - \$9,200; Hydrant \$3,005	12,205.00
Hydrant Replacement - Bloomfield	ISI Hydrastop - \$7,150; Valve and Hydrant \$2,266	9,416.00
New Chlorine Pump for Bloomfield Plant	Purchased from Living Waters	2,375.00
New impeller and chack valve	Freedom Booster	1,771.52
New 4" Master Meter - Worhington Wellfield	Midwest Meters	3,158.00
Chlorine Equipment	Living Waters	6,529.23
8" wheel valve for Bloomfield pump building	Waller Company	1,887.25
Replace Koleen Booster Pump 2 Discharge Valve	Bastin-Logan	6,596.00
New Regulator on Owensburg Main	Waller's Company	12,607.00
Replace failed power poles between buildings	Bloomfield wellfield - ARC Electric	3,000.00
Cut Sheet Cutter and Slitter - Office Use	ABC Office	9,054.00
310' of 3" water line installed via directional drilling	ISI Infrastructure Systems Inc.	9,920.00
250' of 2" water line installed via directional drilling	ISI Infrastructure Systems Inc.	7,500.00
Installation of 6" line with 2-8" line stops, meter vault, 2-8" gate valves	ISI Infrastructure Systems Inc.	55,700.00
Generator Installation and Maintenance	MacAllister Cat/Evapar	28,359.77
US 231 Water Main Relocation	Relocation of 6" main due to bank sliding off along highway	135,315.00
Vehicle Replacements - 1 per Year	Two trucks purchased in 2021; one in 2022; one in 2024. Two 1/2 ton trucks and two 3/4 ton trucks purchased	196,251.00
SR 58 Water Services Tie-Overs	Tie over of services on old 3" line to new 8" main due to many leaks on 3" line	147,525.00
<b>Total Capital Improvements since 45435-U:</b>		<b>692,868.02</b>

Annual E&R from 45435-U approved in April 2021 was \$424,751 per year mutliply by 3 years \$ 1,274,253.00

Total amount of approved E&R not accounted for over three years \$ 581,384.98

Project information and costs came from responses to OUCC DR 2-2 and 2-3.

## Utility Dashboard Eastern Heights Utilites, Inc. Cause No. 46084-U

Year	W-1 Customers Year-End	W-6 Total Pumped & Purchased	W-6 Total Sold	W-6 Non- Revenue (C - D)	W-6 System Usage	Water Loss (E - F)	Percent Loss (G / C)	Average MGD Sold	Gallons Sold/ Cust/Day	W-6 Main Breaks
2015	6,856	543,405	421,498	121,907	92,500	29,407	5.4%	1.155	168.4	20
2016	6,902	510,453	394,062	116,391	65,000	51,391	10.1%	1.077	156.4	20
2017	6,947	538,253	398,713	139,539	69,500	70,039	13.0%	1.092	157.2	20
2018	7,009	541,406	406,810	134,596	69,900	64,696	11.9%	1.115	159.0	20
2019	7,027	525,211	401,716	123,495	74,500	48,995	9.3%	1.101	156.6	
2020	7,171	546,835	428,998	117,837	54,600	63,237	11.6%	1.172	163.9	
2021	7,275	526,964	409,954	117,010	60,400	56,610	10.7%	1.123	154.4	
2022	7,359	567,316	418,503	148,813	81,300	67,513	11.9%	1.147	155.8	
2023	7,444	603,595	441,690	161,905	83,300	78,605	13.0%	1.210	162.6	

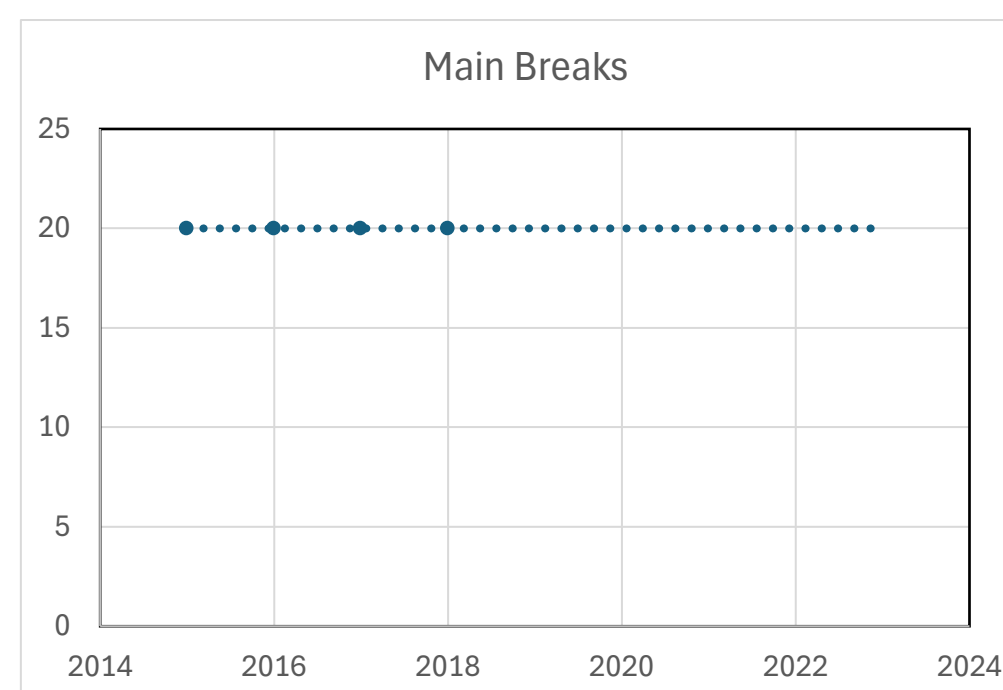
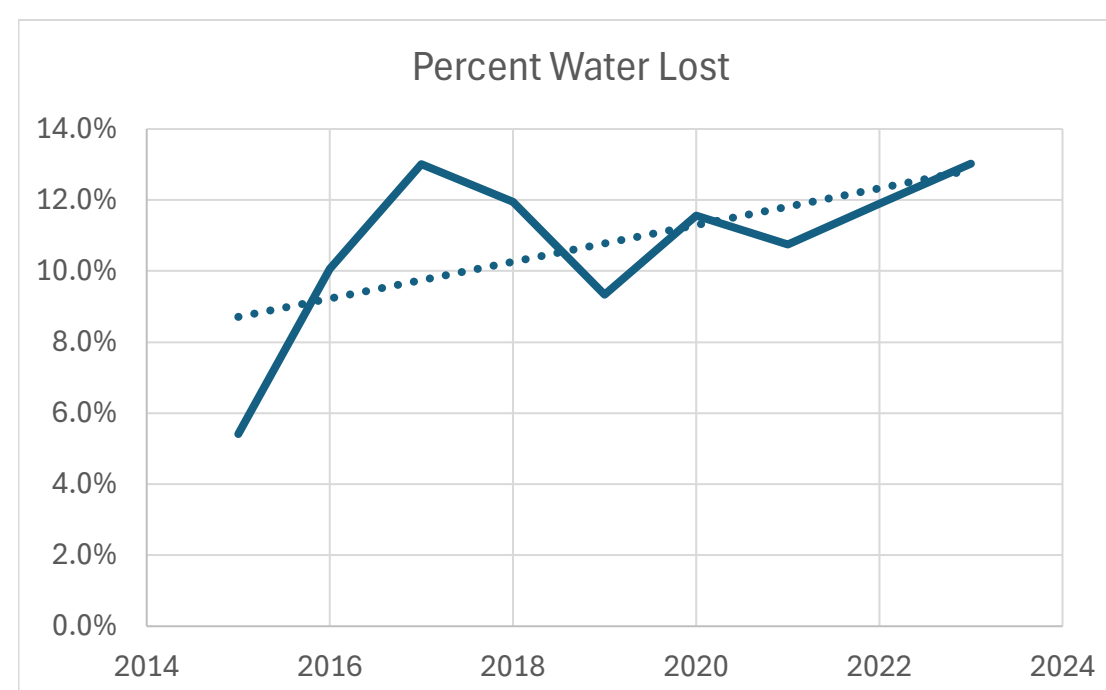
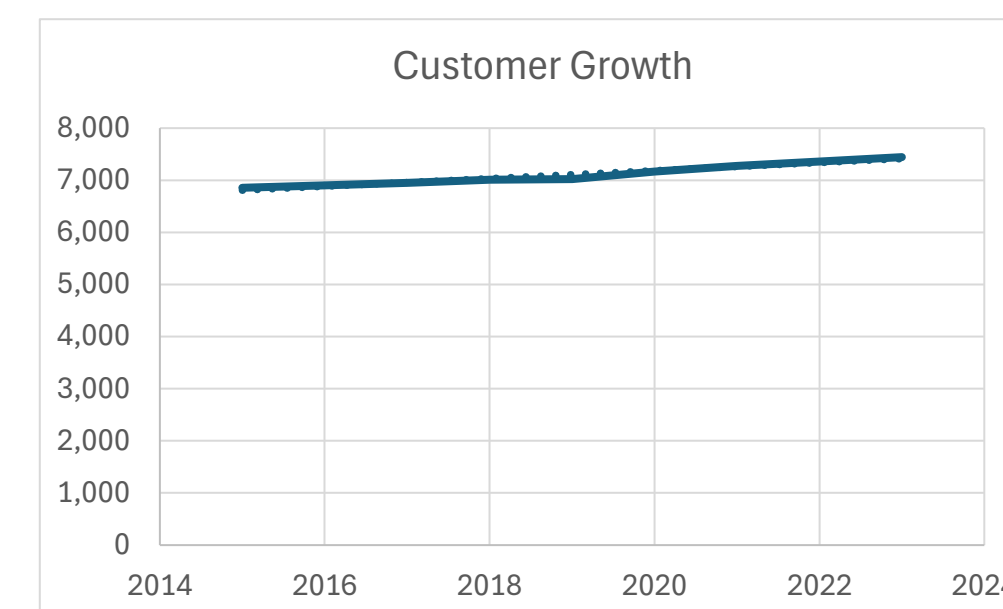
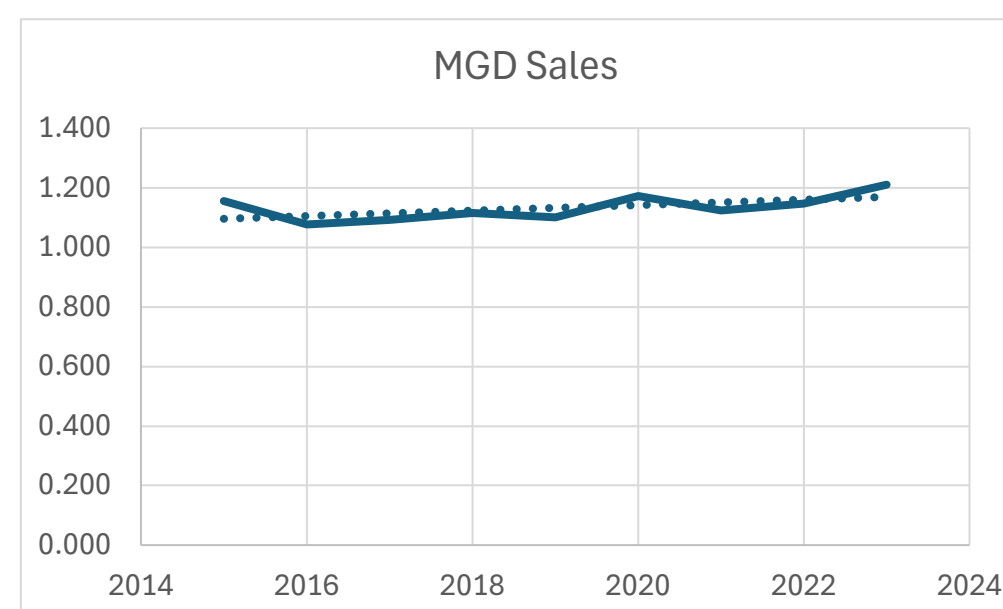
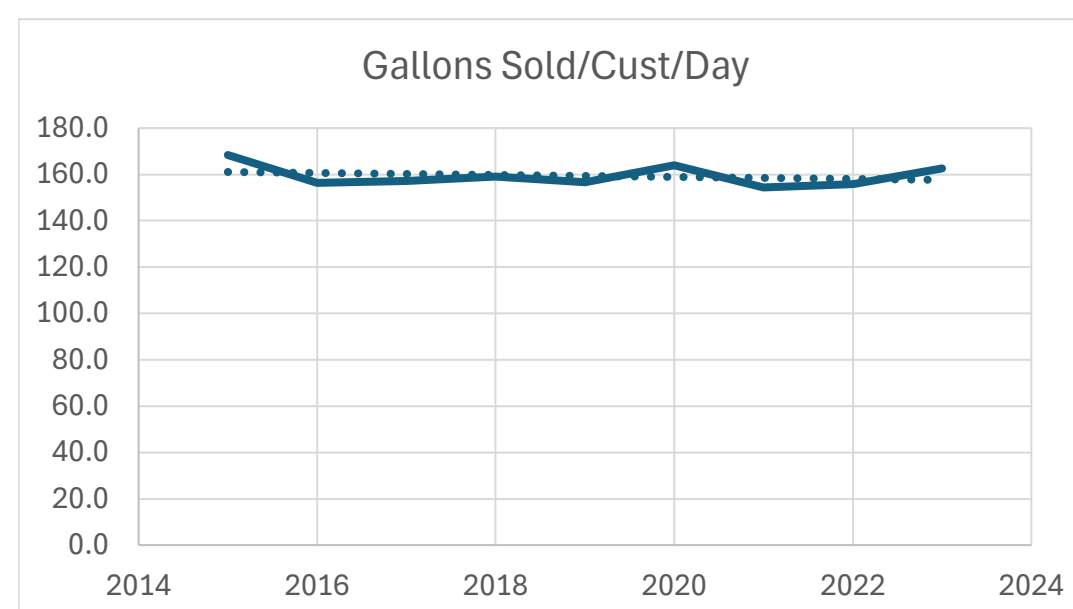
average mgd sales 2023                      1.210 mgd  
average cust growth                              59 /yr

All reported in thousand gallons unless otherwise noted

System usage includes water reported as used for firefighting, backwashing, main flushing, etc.

Source: IURC Annual Reports W-1, W-6.

Customers year-end includes private fire protection and irrigation customers



Dashed lines show results of linear regression (trend) over period shown

**Q-4-12:** How many main breaks has Eastern Heights repaired per year in the past three years?  
Please describe any changes in the past three years as to how Eastern Heights responds to Main breaks.

**RESPONSE:**

**Eastern Heights Utilities has repaired a total of 169 water main breaks from 2021 through 2024 YTD as of August 16, 2024, broken down by year as follows:**

<b>2021:</b>	<b>43 main breaks</b>
<b>2022:</b>	<b>49 main breaks</b>
<b>2023:</b>	<b>54 main breaks</b>
<b>2024:</b>	<b>23 main breaks (YTD through August 16, 2024)</b>

**There have not been any changes in how Eastern Heights responds to main breaks in the past three years. Tank levels are monitored through Eastern Height's SCADA system and, when a change is noted, a proactive search for leaks is made in the area of the affected tank. This usually results in finding the leak before it becomes a full blown main break where people have no water. Eastern Heights estimates that approximately 95% of the main break repairs are done under pressure whereby the customer never sees exceedingly low pressure or outages.**



**Q-5-1:** Please identify and explain all known and suspected causes of Eastern Heights main breaks and leaks.

**RESPONSE:**

**Almost all main breaks and leaks that occur on over Eastern Heights Utilities' more than five hundred miles of mains are caused by one of the following reasons:**

- 1.) age and condition of our infrastructure;**
- 2.) very rocky soil;**
- 3.) tree roots;**
- 4.) high pressure areas combined with the above;**
- 5.) in a few cases ductile iron mains have leaked due to corrosive soil types;**
- 6.) other utilities, contractors, citizens damaging main while digging, setting poles, directional boring**

**Please see the response to OUCC DR Q-4-10 for more information on main leaks and breaks.**

**STATE OF INDIANA**

**INDIANA UTILITY REGULATORY COMMISSION**

**APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES )  
THROUGH THE SMALL UTILITY ) CAUSE NO. 46084-U  
PROCEDURE PURSUANT TO IND. CODE § )  
8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )**

**PUBLIC'S EXHIBIT NO. 3**

**TESTIMONY OF SHAWN DELLINGER**

**ON BEHALF OF**

**THE INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR**

**September 18, 2024**

**TESTIMONY OF OUCC WITNESS SHAWN DELLINGER**  
**CAUSE NO. 46084-U**  
**EASTERN HEIGHTS UTILITIES, INC.**

**I. INTRODUCTION**

1 **Q: Please state your name and business address.**

2 A: My name is Shawn Dellinger, and my business address is 115 West Washington Street,  
3 Suite 1500 South, Indianapolis, IN 46204.

4 **Q: By whom are you employed and in what capacity?**

5 A: I am employed by the Indiana Office of Utility Consumer Counselor (“OUCC”) as a Senior  
6 Utility Analyst, primarily in the Water/Wastewater division. My focus is on financing and  
7 other financial matters. Appendix A describes my background, education, and experience.

8 **Q: What is the purpose of your testimony?**

9 A: Eastern Heights Utilities, Inc. (“Applicant” or “Eastern Heights”) requests authority to  
10 draw down \$1,000,000 of long-term debt creating a new debt service revenue requirement  
11 of \$189,809 (for total debt service of \$515,141) and a new debt service reserve revenue  
12 requirement of \$63,403. I recommend the Commission reject the requested debt  
13 authorization, approve an increase to its debt service revenue requirement of \$190,209, and  
14 reject applicant’s request for a debt service reserve revenue requirement of \$63,403.

15 **Q: What did you do to form the opinions in your testimony?**

16 A: I reviewed the Application. I had discussions with the consultants for Eastern Heights. I  
17 gathered information through informal email exchanges.

1 **Q: If your testimony does not address a specific topic, issue, or item, should it be**  
2 **construed to mean you agree with Petitioner's proposal?**

3 A: No. My silence on any issue should not be construed as an endorsement. Also, my silence  
4 in response to any actions or adjustments stated or implied by Petitioner should not be  
5 construed as an endorsement.

## II. DEBT AUTHORIZATION

6 **Q: What statute governs the approval of long-term debt?**

7 A: Indiana Code 8-1-2-78 and 8-1-2-79 establishes how a public utility may secure approval  
8 from the Indiana Utility Regulatory Commission ("Commission") before it may issue long-  
9 term debt.

10 **Q: Please describe Eastern Heights' application for debt authorization.**

11 A: Eastern Heights requests authority to complete a transaction it has already completed.<sup>1</sup> On  
12 April 21, 2023 Eastern Heights borrowed \$1,000,000 for one year, establishing a maturity  
13 of April 21, 2024. The loan was amended on April 19, 2024 for one year at an interest rate  
14 of 8.5%, establishing a maturity date of April 19, 2025 (*See* OUCC Attachment SD-2). On  
15 May 22, 2024, the loan was modified to a 7-year term at 8.49%, with no additional changes  
16 to collateral. (*See* OUCC Attachment SD-3). Payments are \$15,850.78 per month, or  
17 \$190,209.36 annually. Applicant filed this small U case on June 6, 2024 in which it seeks  
18 authority to issue its debt and collect revenues for its related debt service expense and debt  
19 service reserve.

20 **Q: Were other options available for the potential loan term as of May 22, 2024?**

21 A: Yes. Farmers and Merchants Bank also offered options of 3 years at 7.99% interest, 5

---

<sup>1</sup> Because this is a Small-U filing, Eastern Heights provided no testimony in the Application. The language used on page 5 of the application, Case Summary, is "approval to draw down \$1,000,000 in additional debt." Regardless of the terminology, this is a request for debt authorization.

1 years at 8.25% interest, and 10 years at 8.75% interest. The payments on the 10-year option  
2 would have been \$12,570.27 per month, or \$150,843.24 annually.

3 **Q: Would an option other than the 7-year option been better for ratepayers?**

4 A: Yes. To guard against generational inequities, the term of the debt should most closely  
5 align with the expected useful life of the assets being financed. I am unaware of any  
6 compelling reason in this case to deviate from this standard. If Applicant had sought  
7 financing approval in advance of the borrowing as contemplated by statute, and the choices  
8 were limited to those provided by Farmers and Mechanics Bank, I would have considered  
9 the 10-year term at an 8.75% interest rate to be superior to the terms Applicant selected.

10 **Q: Should Applicant be required to secure debt at a ten-year term?**

11 A: No. Because Eastern Heights has already entered into the loan agreement and the funds  
12 have been dispersed, it is not practical or efficient for Petitioner to secure those terms.

13 **Q: Do you agree Applicant should be authorized to borrow \$1,000,000?**

14 A: No. Indiana Code 8-1-2-78 and 8-1-2-79 requires a utility to secure authority for financing  
15 *before* the transaction. It makes little sense to authorize a transaction that has already taken  
16 place. By entering into debt before a case, the applicant circumvents any recommendations  
17 the public may have on more efficient ways to finance the assets. Also, in this case the  
18 projects have already been either completed or substantially completed, which also  
19 circumvents and obviates any engineering review of the prudence of the financed projects.  
20 Providing after the fact approval tacitly endorses a practice that should rather be  
21 discouraged.



**III. DEBT SERVICE REVENUE REQUIREMENT**

1 **Q: What debt service revenue requirement does Eastern Heights request?**

2 A: Eastern Heights requests a debt service revenue requirement of \$515,141 per year, of which  
3 \$189,809 is for the \$1 million loan that has not previously been incorporated into rates.

4 **Q: Should Eastern Heights be authorized rates to pay for the debt service on this**  
5 **borrowing upon the issuance of the order in this case?**

6 A: Yes. Despite my disagreement with the method in which Eastern Heights encumbered its  
7 assets and financed these projects, Applicant requires a revenue stream to make the  
8 payments for which it is contractually obligated.

9 **Q: Do you agree with a debt service revenue requirement of \$189,809?**

10 A: No. The amount should be slightly higher at \$190,209. The application shows a reduced  
11 payment in year 3 of \$189,009, but this doesn't appear to be correct. The payments on this  
12 loan are \$15,850.78 per month for seven years. This is a total amount of \$190,209.36 per  
13 year.

14 **Q: Is spending approximately \$190,000 a year on a \$1 million loan an optimal use of this**  
15 **revenue stream?**

16 A: No. All Eastern Height's other debt has been with the U.S. Department of Agriculture's  
17 Rural Development Loan Program ("Rural Development Loans"). The interest rate on  
18 loans with the Rural Development Program currently range from 2.375% to 4.00%.<sup>2</sup>  
19 Assuming Eastern Heights had secured financing at the highest rate possible as of July 1,  
20 2024, the loan payment would be \$50,000 per year, rather than \$190,000.<sup>3</sup> From the  
21 perspective of what \$190,209 of annual debt service could secure, \$190,209 used to fund

---

<sup>2</sup> This is the interest rate prospectively for Rural Development loans as of July 1, 2024.

<sup>3</sup> The amount is \$50,152.62. Including the appropriate debt service reserve payment, total payments would be \$55,167.88 for the first ten years.

1 a debt service reserve as well as the actual loan payments at the same highest possible  
2 interest rate would finance projects totaling \$3,792,604.<sup>4</sup> The decision to borrow on a  
3 short-term basis, and then roll this into financing where Eastern Heights could only  
4 “negotiate” with the local financial institution, precluded the ability to finance almost \$3  
5 million of additional projects with no additional current rate impact. Financing choices  
6 affect the affordability of this crucial utility service. Having already secured the loan,  
7 Applicant has foreclosed the OUCC’s ability to recommend financing that would promote  
8 affordability and improvement of the utility services it provides.

9 **Q: Do you recommend Eastern Heights refinance this debt with Rural Development or**  
10 **the State Revolving Fund?**

11 A: No. That option is most likely not available. The projects are already completed.  
12 Financing them through a refinancing with a subsidized program is not something that, to  
13 the best of my knowledge, either the State Revolving Fund or the USDA’s Rural  
14 Development program generally contemplate.

15 **Q: Are any of Eastern Heights other debts being paid off during the life of these rates or**  
16 **shortly thereafter?**

17 A: One loan is being paid off shortly after the life of these rates is expected to expire. Loan  
18 9111 is being paid off in 2031. Loan 9113 will be paid off in 2035, and Loan 9115 will be  
19 paid off in 2039. All payments from 2030 onwards for loan 9111 should be made from the  
20 fully funded debt service reserve, which has a current cost of \$102,996 annually. Because  
21 the life of rates in this cause is 3 years, debt service expense on that borrowing will expire  
22 approximately two years beyond the life of these rates. Therefore, no adjustment is

---

<sup>4</sup> The worksheet’s supporting these numbers may be found as OUCC Attachment SD-1. The debt service reserve funding cost would be satisfied in ten years, although the cost of the loan would persist for 40 years, which is obviously longer than the 7 years the current loan will take to pay in full.

1 required for the removal of this debt service expense.

#### IV. DEBT SERVICE RESERVE

2 **Q: What debt service revenue requirement did Eastern Heights request?**

3 A: Eastern Heights requested a \$63,403 annual debt service reserve revenue requirement.  
4 This is equivalent to funding within three years a debt service reserve equal to one year's  
5 payments on the debt.

6 **Q: Do you agree with the requested \$63,403 debt service reserve revenue requirement?**

7 A: No. There is no debt service reserve requirement for the loan with Farmers and Merchants  
8 Bank (the \$1 million borrowing discussed above). This line item is not an actual expense  
9 and appears to be an artifact of the Small Utility application. It should be disallowed and  
10 removed.

#### V. TRUE-UP PROCESS

11 **Q: Is there a true-up process required for this borrowing?**

12 A: No. The borrowing has already been completed, and we know the cost for this debt already.

#### VI. OUCC RECOMMENDATIONS

13 **Q: Please summarize your recommendations to the Commission in this Cause.**

14 A: I recommend the Commission deny Applicant's request for authority to issue \$1,000,000  
15 of long-term debt as an unnecessary endorsement of an action Applicant already took  
16 without Commission authority. Nonetheless, I recommend the Commission recognize  
17 Applicant's financial obligation and include a *pro forma* annual debt service revenue  
18 requirement of \$190,209. I recommend the Commission deny Applicant's request for a debt  
19 service reserve revenue requirement because it is not needed.

20 **Q: Does this conclude your testimony?**

21 A: Yes.

**Appendix A**

1 **Q: Please describe your educational background.**

2 A: I graduated from Indiana University with a degree in Biology, a minor in Economics and  
3 a certificate from the Liberal Arts and Management Program (LAMP) which is an honors  
4 certificate program through the Kelley School of Business and the College of Arts and  
5 Sciences. I received my MBA from Indiana University with a concentration in finance. I  
6 am a member of Phi Beta Kappa honor society for my undergraduate studies and Beta  
7 Gamma Sigma honor society for my master's program. I have a certificate from Stanford  
8 University for the Energy Innovation and Emerging Technologies Program. I am a  
9 certified rate of a return analyst (CRRA designation) from the Society of Utility Regulatory  
10 Financial Analysts. Although not specifically related to my educational background, I am  
11 a member of Mensa.

12 **Q: Please describe your work experience.**

13 A: Upon graduating college, I moved to New York and worked at Grant's Interest Rate  
14 Observer, which is a financial newsletter and Lebenthal and Co., which was a municipal  
15 bond brokerage. I moved back to Indianapolis and worked at RCI Sales in Indianapolis,  
16 which was a manufacturer's representative/distributor in commercial and institutional  
17 construction. I became an owner and ultimately sold the company. I then worked at  
18 Amazon as a financial analyst in its fulfillment division.

19 **Q: How long have you been at the OUCC?**

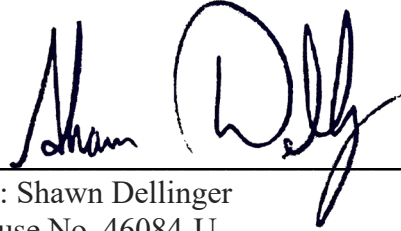
20 A: I started at the OUCC in the Water/Wastewater Division in December 2019 as a Utility  
21 Analyst II and was promoted to a Senior Utility Analyst in May 2022. My focus is financial  
22 issues, such as ROEs, Capital Structures, Debt Issuances, Cost of Debt, etc.

1 **Q: Have you previously testified before the Indiana Utility Regulatory Commission?**

2 A: Yes, I have testified before the Commission regarding various aspects of finance in  
3 multiple cases.

**AFFIRMATION**

I affirm the representations I made in the foregoing testimony are true to the best of my knowledge, information, and belief.

A handwritten signature in black ink, appearing to read "Shawn Dellinger", written over a horizontal line.

By: Shawn Dellinger  
Cause No. 46084-U  
Office of Utility Consumer Counselor (OUCC)

Date: September 18, 2024



**Rural Development Loan**

Amount	\$ 1,000,000.00	
Term	480	
Interest Rate	0.33%	
Payment	\$4,179.38	
Annual Payment (Monthly)	\$ 50,152.62	\$ 4,179.38
Including DSR (Monthly)	<u>\$ 5,015.26</u>	<u>\$ 417.94</u>
Total	\$ 55,167.88	

Amount of potential borrowing capacity for \$189,809 annual payments

Amount	\$4,589,050.52	
Term	480	
Interest Rate-4%, monthly	0.33%	
Payment	\$19,179.41	
Annual Payment	\$ 190,209.00	
Including DSR	<u>\$ 19,020.90</u>	
Total	\$ 209,229.90	

Alternatively...If total payment including DSR is including in the \$190,209 annual payment

Amount	\$3,792,603.73	
Term	480	
Interest Rate-4%, monthly	0.33%	
Payment	\$15,850.75	
Annual Payment	\$ 172,917.10	
Including DSR	<u>\$ 17,291.90</u>	
Total	\$ 190,209.00	

<b>PRIOR OBLIGATION INFORMATION</b>	<b>LOAN NUMBER</b>	<b>ACCT. NUMBER</b>	<b>NOTE DATE</b>	<b>CREDIT LIMIT</b>	<b>MATURITY DATE</b>
	7000021288		04/21/23	\$1,000,000.00	04/21/24
<b>AMENDED OBLIGATION INFORMATION</b>	<b>LOAN NUMBER</b>	<b>ACCT. NUMBER</b>	<b>MODIFICATION DATE</b>		<b>CREDIT LIMIT</b>
	7000021288		April 19, 2024		\$1,000,000.00
	<b>MATURITY DATE</b>	<b>INDEX (w/margin)</b>	<b>INTEREST RATE</b>		<b>INITIALS</b>
	04/19/25	Wall Street Journal Prime	8.500%		171
<b>Creditor Use Only</b>					

## DEBT MODIFICATION AGREEMENT

**DATE AND PARTIES.** The date of this Debt Modification Agreement (Modification) is April 19, 2024. The parties and their addresses are:

**LENDER:**

**FARMERS AND MECHANICS FEDERAL**  
3535 W 3rd St  
Bloomington, IN 47404-4858  
Telephone: (812) 332-4473

**BORROWER:**

**EASTERN HEIGHTS UTILITIES, INC.,**  
an Indiana Corporation  
316 N Washington St  
Bloomfield, IN 47424

**1. DEFINITIONS.** In this Modification, these terms have the following meanings:

- A. Pronouns.** The pronouns "I," "me," and "my" refer to each Borrower signing this Modification and each other person or legal entity (including guarantors, endorsers, and sureties) who agrees to pay this Loan. "You" and "your" refer to the Lender, with its participants or syndicators, successors and assigns, or any person or entity that acquires an interest in the Modification or the Prior Obligation.
- B. Amended Obligation.** Amended Obligation is the resulting agreement that is created when the Modification amends the Prior Obligation. It is described above in the AMENDED OBLIGATION INFORMATION section.
- C. Credit Limit.** Credit Limit means the maximum amount of principal you will permit me to owe you under this Line of Credit, at any one time. My Credit Limit is stated at the top of this Modification.
- D. Loan.** Loan refers to this transaction generally. It includes the obligations and duties arising from the terms of all documents prepared or submitted in association with the Prior Obligation and this modification, such as applications, security agreements, disclosures, notes, agreements, and this Modification.
- E. Modification.** Modification refers to this Debt Modification Agreement.
- F. Prior Obligation.** Prior Obligation refers to my original agreement described above in the PRIOR OBLIGATION INFORMATION section, and any subsequent extensions, renewals, modifications or substitutions of it.

**2. BACKGROUND.** You and I have previously entered into a Prior Obligation. As of the date of this Modification, the outstanding, unpaid balance of the Prior Obligation is \$1,000,000.00. Conditions have changed since the execution of the Prior Obligation instruments. In response, and for value received, you and I agree to modify the terms of the Prior Obligation, as provided for in this Modification.

**3. CONTINUATION OF TERMS.** I agree and understand that all other terms and provisions in the Prior Obligation survive and continue in full force and effect, except to the extent that they are specifically and expressly amended by this Modification. The express amendment of a term does not amend related or other terms - even if the related or other terms are contained in the same section or paragraph of the Prior Obligation. For illustration purposes only, a modification of the interest rate to be paid during the term of the loan would not modify the default rate of interest even though both of those terms are described in the Prior Obligation in a common section titled "Interest". The term "Prior Obligation" includes the original instrument and any modifications prior to this Modification.

**4. TERMS.** The Prior Obligation is modified as follows:

**A. Security.** The security provision is modified to read:

- (1) New Collateral Added. The following separate security instruments prepared together with this Modification have been added as security:



May 22, 2024

Tami Helms  
Eastern Heights Utilities Inc.  
PO Box 8  
Bloomfield, IN 47424

email: [ehutami@wispaninternet.com](mailto:ehutami@wispaninternet.com)

In Re: Modification options for business loan

Dear Tami:

Thank you for contacting us about the options for modifying the Eastern Heights Utilities business loan. Here are some possible terms to consider. Please note that the changes proposed will likely require approval from our loan committee but we do not anticipate that there will be any issues in obtaining said approval under any of the scenarios we propose.

Loan Amount: \$1,000,000

---

Purpose: Modify/Refinance an existing note to extend the term and set up regular monthly payments. No additional funds will be extended. Collateral remains the same.

---

Interest Rate/Term: We propose four options for consideration.

Term (Yrs):	3	5	7	10
Rate:	7.99%	8.25%	8.49%	8.75%
Est'd Monthly Pymt:	\$31,292.84	\$20,396.02	\$15,850.78	\$12,570.27

Repayment: The estimated monthly payments are listed above with each rate and term combination. These all assume that the loan will fully amortize over the respective term. Additional principal payments in full or in part may be made at your discretion without fee or penalty.

You may choose to set this up for annual payments instead of monthly or set the first few months of the loan as interest only payments if either is helpful. The rates would not change.

Costs: Loan modification cost of \$250 and interest due would be collected at closing.

Tami, we will soon reach out to see if you have any questions or to verify which option you prefer. It is our pleasure to assist you and Eastern Heights with this loan. We appreciate the opportunity.

Regards,

*Crystal*  
Crystal Taylor-Baker  
Commercial Team Leader

*Rusty*  
Rusty Miller  
Commercial Lender

Tuesday 4th - 9:00 AM

**STATE OF INDIANA**

**INDIANA UTILITY REGULATORY COMMISSION**

**APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES )  
THROUGH THE SMALL UTILITY ) CAUSE NO. 46084-U  
PROCEDURE PURSUANT TO IND. CODE § )  
8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )**

**PUBLIC'S EXHIBIT NO. 4**

**CONSUMER COMMENTS**

**ON BEHALF OF**

**THE INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR**

**September 18, 2024**

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** James Moderski - Form Submission - OUCC Contact Form: James Moderski  
**Date:** Friday, July 5, 2024 11:53:39 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: James Moderski  
Email: [jmgov.riverbed168@slmails.com](mailto:jmgov.riverbed168@slmails.com)  
Phone:  
Address:  
Springville  
IN  
47462

Utilities: Eastern Heights Utilities, Inc.

Type of Inquiry: Case Comment

Comments: Eastern Heights Utilities (EHU), Inc. is seeking an additional 59.4% increase in user rates. If approved, the utility company will have increased their rates on the families they service by over 104% in just under 4 years. In addition, EHU is requesting a loan for \$1,000,000 for a term of 7 years at 8.49%. If amortized, the total interest on the loan will be nearly \$330,000. EHU provided no plan on how they will pay back the loan. The lack of a cost of service study to determine which class of customer burdens EHU the most is incredibly disappointing, and I urge the OUCC to have EHU or an independent entity conduct that study. Without it, the "across the board" price increase places more economic hardship on Hoosier families that cannot afford an additional utility rate increase of 59.4%.

In EHU's Revenue adjustment, the average commercial customer's bill was \$87.29. In the test year consumption one customer, listed four separate times, New Fashion Pork consumed 9,173,900 gallons for a revenue of only \$26,992 - an effective rate of \$2.9 per 1000 gallons. For reference, my household used 59,100 gallons and provided a revenue to EHU of \$539.76 for the year of 2023 - an effective rate of \$9.1 per 1000 gallons. the burden on my family is over three times higher even though we use less than 1% of what New Fashion Pork consumes.

Please consider the undue burden an additional rate increase will place on Hoosier families as you assess Eastern Heights Utilities, Inc.'s request.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** James Moderski - Form Submission - OUCC Contact Form: James Moderski  
**Date:** Tuesday, September 10, 2024 12:39:51 PM

---

EXTERNAL EMAIL: This email was sent from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: James Moderski  
Email: [jmgov.riverbed168@slmails.com](mailto:jmgov.riverbed168@slmails.com)  
Phone: (301) 481-2711  
Address:  
Springville  
IN  
47462  
Utilities: Eastern Heights Utilities  
Type of Inquiry: Case Comment  
Comments: Cause #: 46084

I am a customer of Eastern Heights Utilities (EHU).

After attending the public hearing on 05 SEP 2024, multiple concerning facts regarding EHU's request for an across the board rate increase of 59.4% stand out to me.

1) According to the latest data available from Stats Indiana, Greene County IN has a poverty rate of 12.7%. If that number remained consistent with the population measurement in 2023 (31,196) then there are approximately 3,961 living in poverty. The poverty rate among children under the 18 was 17.7%. The 2023 estimate for children under the age of 18 was 6,704. Again, if the estimates stay consistent there are 1,186 children living in poverty in Greene County. Should a majority of them be serviced by EHU, they will be the most impacted by this requested rate increase. My opinion: installation of a well system is likely cost prohibitive for those below the poverty rate, and the rate increase will push those in poverty deeper, and force those just above the poverty line to make difficult and unfair choices that could push them into poverty. I have no way of knowing if the poorest residence of Greene County are all part of the 7,000 customers served by EHU or not.

2) A cost of service study "assigns to each class of customers its proportionate share of the utility's total cost of service". One company, New Fashion Pork, is listed 4 separate times on the utilities "10 largest customers". They consumed 9,174,400 gallons in 2023. The average residential customer bill is listed as \$27.69. My average bill for 2023 (excluding taxes) was \$27.34. I believe I used approximately 59,000 gallons of water. I am a reasonable comparison to the average EHU customer. That roughly translates to 417 million gallons used by the approximately 7,061 residential customers. My opinion: The lack of a cost of service study is a lazy choice by EHU. An across the board increase in rates heavily burdens those who use less water, including those who's rates will increase because they have to pay the minimum charge (The customer shall pay the minimum charge only when the amount resulting from the applying the metered rates to the metered quantity of water is less than the minimum charge). The burden of providing clean, safe water to customers should be shouldered by the customers who consume the most water. Customers who put less strain on EHU, like the average residential customer, should be rewarded for their reduced level of consumption.

3) A \$1,000,000 loan request at 8.49% over 7 years to pay for projects expected to complete this year is not insignificant to a utility that needs \$1,586,892 in additional revenue. My opinion: EHU's website has a notification regarding rate increase request that states, "Eastern Height's engineering consulting firm has estimated capital and maintenance projects that should be considered by EHU to complete over the next three years (2024-2026) to cost \$34,972,000. If all of these projects were to be completed and included in this rate case filing, EHU would be requesting an increase of over 450% ". That reads to me like an incredibly mismanaged Utility. There were no plans



offered in the filing to pay back the loan, no listing of other options considered. in addition to my opinion, my questions are as follows: Are there federal or state grants available? Why did EHU state that they were going with "Farmers and Merchants Bank" and not that they were seeking the most fiscally responsible loan available to ease the burden on the customers who, with the proposed price increase, will be footing the bill? Should the customers expect to be back in 3 years (expected life of the price increase) because of that 450% estimated rate increase need? How is the almost \$35 million need allocated across projects?

4) No documentation or plans for how EHU will improve the quality of the water. In the same Rate Case FAQs on their website they state, "For example, a similarly configured truck that EHU purchased in 2022 is going to cost \$11,000 (over 21%) more to purchase in 2024". My opinion: EHU provided no information on water quality improvement, only the need for some operation and maintenance expenses. Do they need to be buying trucks every 2 years, is that part of their "increased operating expenses"? Where are the figures and cost estimates for reducing heavy metals, inorganic substances, bacteria, unregulated substances and radioactive substances in the water provided to customers? Are they buying more chemicals to remove harmful components in the water, or roughly the same amount to meet their current quality?

A 59.4% increase over the 28.11% issued in 2021 would be a 104% increase in 4 years if it takes effect in 2025. A stated potential need of 450% from EHU's own FAQ to complete recommended projects is outrageous. An across the board rate increase to place the burden of EHU mismanagement on the poorest customers and those that use the least amount of water. The lack of a cost of service study potentially removes the burden from the companies that use the most water. A \$35 million dollar need by EHU should be cause for alarm and I fully anticipate EHU requesting another outrageous rate increase in 3 years when this one expires. I hope that the OUCC takes all of these concerns into account when they issue a decision.

In conclusion, the costs and rate increase proposed by EHU to service 7000 residential customers is alarming. The lack of transparency in what those costs incurred to customers goes towards, is incredibly disappointing.

Thank you for your time, and for seriously considering not only this rate increase request, but what it would mean for future rate increase requests.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** James Uland - Form Submission - OUCC Contact Form: James Uland  
**Date:** Saturday, July 6, 2024 10:50:19 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.

Name: James Uland

Email: jamesuland@hotmail.com

Phone: (812) 322-3092

Address: 7157 N Greene County Line Road

Solsberry

IN

47459

Utilities: Eastern Heights Utilities, INC Application

Type of Inquiry: Case Comment

Comments: I have been notified of Eastern Heights Utilities, INC Application that's requesting a 59.40% increase in water rates. Your consideration would be most appreciated as our countries inflation has made times extremely hard and this high of an increase is absolutely unacceptable!

Thank you for your time and consideration.

James and Lindsey Uland

**From:** [Barbra Carter](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Shon Carter - Eastern Heights Utilities, Inc Application with IURC for rate increase  
**Date:** Tuesday, July 9, 2024 1:41:15 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

To Whom It May Concern,

I am writing to you in regard to the pending application that Eastern Heights Utilities has filed with the Indiana Utility Regulatory commission to increase water rates.

They are requesting a rate increase of 59.40%. While I fully understand that with the shape our economy is in currently every company has to raise their rates at some point in order to stay afloat, I feel that a 59.40% increase is ludicrous.

My average is billing each month is around \$23. A rate increase of this size would be \$13.67 more for a total of \$36.67 a month. This is a very large increase that will be very hard for me and my family to afford. We are a family of 4 and this increase would be devastating to us.

I would ask that you deny Eastern Heights Utilities' current application for the rate increase of 59.40% and ask them to come back with a rate increase that is more affordable for their customers.

Thank you for your time.

Shon Carter

13241 E Oak Haven Dr

Solsberry, IN 47459

(812) 825-8256

*Barb Carter*

*Office Manager, Monroe County Planning Department*

*Monroe County Government Center*

*501 N. Morton St., Suite 224*

*Bloomington, IN 47404*

*(812) 349-2560*

*[bcarter@co.monroe.in.us](mailto:bcarter@co.monroe.in.us)*

**From:** [Wagner, Tracey D](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Tracey D Wagner - 2024 Eastern Heights Utilities rate increase  
**Date:** Wednesday, September 4, 2024 9:13:41 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

Good morning,

Thank you for providing an opportunity for customers to voice concerns regarding the excessive Eastern Heights Utilities rate increase.

Rate increases are inevitable due to rising cost of living expenses but this is a huge increase with no explanation. I would like to know the justification and see a budget for the planned use of additional income. If justifiable, can the increase be phased in over 3-5 years instead of all at one time.

With a huge rate increase like this one would think EHU would be implementing new services/processes that will benefit their customers. Are they?

Thank you,

Tracey Wagner  
12448 E Wagner Rd  
Solsberry, IN 47459  
812-325-4777

Roger F. Edlin

10751 East Sparks Road, Solsberry, Indiana 47459

Secretary of Commission  
Indiana Utility Regulatory Commission  
115 West Washington Street, Suite 1500 East  
Indianapolis, Indiana 46204

8/3/24 11:00 AM

August 3, 2024

Reference: Eastern Heights Utilities Incorporated Application Case#: 46084 U

This is to give notice to the Secretary of the Commission that a hearing does need to be scheduled regarding this application for over 50% increase in our local water bill to cover issues that customers may well not be informed of from Eastern Heights Utilizes Incorporated (EHUI).

Most people we know or have met are good people and right now times are tough for all. This huge price increase request will severally hurt our neighbors and friends significantly, who are already hurting and barely making by each week let alone each month.

The EHUI say the increase is for increase of operating expenses (why is that I wonder), infrastructure such as for booster station, and then to use SCADA for their system, (of which I point out here, has been proven to be very susceptible to hacking (many studies have proven this) from our enemies of the United States or ne'er-do-wells to hurt all of us, such as shutting down the system, or taking control of it, so we have no water.

Even the supposed infrastructure needed for the new "coming soon" Timber Ridge Motor Sport Park on Legion Road for racing. Will the customers be asked to subsidize that too?

And there is already a taste and odor issue here not ever addressed.

Thank you for your consideration on this matter so the customers better understand why so high a request.

Thank you in advance,



Roger F. Edlin

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Chris Anderson - Form Submission - OUCC Contact Form: Christopher Anderson  
**Date:** Monday, July 1, 2024 8:53:33 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title:

Name: Christopher Anderson

Email: christopher.l.anders@gmail.com

Phone: (812) 606-6128

Address: 11779 East Wagner Road

Solsberry

IN

47459

Utilities: Eastern Heights Utilities, Inc.

Type of Inquiry: Case Comment

Comments: To Whom it May Concern,

I am writing to express my frustration and concern regarding my recent notification water rate increase. We received a letter informing us of a proposed rate increase of 59.40%. There has been no clarification as to if the increase will be immediate or spread across a number of years nor has there been any notification of a detailed breakdown of the price increase and what the additional funds will be used for. I understand that the costs of doing business gradually increases over time but a 59.40% increase with no clarification as to what the funds will be used for nor the timeline to implement the increase seems a bit absurd. Will we be receiving another notification next year of another 59.40% increase to rates?

We purposely try to limit the amount of water we use by implementing good water-saving habits such as taking shorter showers, turning off the faucet when not in use, and using efficient appliances. I believe that individual's consumption should reflect these efforts and not result in such a considerable rate increase. Household consumption should not have the same rate increases as business as water is essential to life.

I kindly request your prompt attention to this matter and a thorough review of this rate increase. I would appreciate your assistance in identifying the cause of the rate increase and clarifying when the full rate increase will be implemented and also when can we expect the next one? I feel for my neighbors who are on fixed incomes who might not be able to afford the increase to water without making monetary cuts somewhere else.

Thank you for your attention to this matter.

Sincerely,

Chris Anderson

11779 E. Wagner RD

Solsberry, IN 47459



**From:** [Carianne Helms](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Carianne Helms - (no subject)  
**Date:** Thursday, June 27, 2024 9:45:18 AM

---

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

---

I would like to make a formal complaint about Eastern Heights Utilities and their proposal to increase rates by 59.40% This looks like an irrational and mismanaged rate of increase. I am not surprised that EHU is making bad decisions based on past experience with the former Director, Mike Cahill. Any board who would appoint that man, I would not expect to make other good decisions.

I understand an increase is needed but this amount is ridiculous to do all at once. They have not prepared for the future and are slowing progress in Greene County by not making good decisions up to now. That is not the consumer's burden to carry.

Thank you for considering my thoughts as a consumer.

--

**Carianne Helms**  
**Eastern Greene Central Office Secretary**

\* This message is from Eastern Greene County Schools and may contain confidential or privileged information. If you are not the addressee of this e-mail or it was addressed to you in error, you are not authorized to copy or distribute this e-mail or attachments.

Any error in addressing or delivery of this e-mail does not waive confidentiality or privilege. If you received this e-mail in error, please notify the sender by return e-mail and delete it. This e-mail message may not be copied, distributed, or forwarded without this statement and the permission of the sender.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Cathy Anderson - Form Submission - OUCC Contact Form: Cathy E Anderson  
**Date:** Tuesday, July 2, 2024 9:39:44 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mrs.  
Name: Cathy E Anderson  
Email: CJANDERSON1945@GMAIL.COM  
Phone: (812) 825-2594  
Address: 11911 E Wagner Road  
SOLSBERRY  
IN  
47459-8399  
Utilities: Eastern Heights Water  
Type of Inquiry: Case Comment  
Comments: Hello,

As a resident of Eastern Greene County, Indiana, I am concerned that they can raise the rates at this time by 59.40%. This seems a little much. I am retired and on a fixed income. Many of the residents here are in the same predicament. Food prices and basic utilities keep going up by my income does not match these increases. It doesn't state whether it will be a one time raise or if it will be a little at a time.

I have tried to cut down on the amount of water I use but I'm sure the minimal payment will still increase. We purposely try to limit the amount of water we use. I believe that individual's consumption should reflect these efforts and not result in such a considerable rate increase. Household consumption should not have the same rate increases as business as water is essential to life.

I kindly request your prompt attention to this matter and a thorough review of this rate increase. I would appreciate your assistance in identifying the cause of this large of a rate increase and when the full rate increase will be implemented and when can we expect the next one? I worry that I and my neighbors, who are on fixed incomes, who might not be able to afford the increased rate for water without making monetary cuts somewhere else.

I am concerned that I will not be able to make my payments for all my utilities in the future. If everything keeps increasing, and especially at 59.40%, how do we know when the next rate increase will be and will it be this much or higher, and why.

Cordially yours,

Cathy Anderson  
11911 E Wagner Road  
Solsberry, IN 47459

**From:** [Daric Fitzwater](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Daric Fitzwater - Eastern Heights Utilities  
**Date:** Sunday, July 28, 2024 3:46:39 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

Greetings,

I received mail notice that Eastern Heights Utilities, Inc has filed a proposed across-the-board rate increase. This is the second drastic rate jump from Eastern Heights Utilities Inc in a few years span. The 'Exhibit 2' customer notice of the proposed price jump of +59.40% provides no rationale for such a large increase which far outpaces CPI, PCE, PPI, and wage growth indices. Without justification indisputably proving that Eastern Heights Utilities Inc cannot control it's costs and must have the increased revenue in order to stay in business, it is my hope that the IURC and OUCC will deny this increase, prioritizing protection of consumers and providing the intended check and balance against a utility with monopoly power throughout most of its territory.

Respectfully,  
Daric Fitzwater  
Bloomfield, IN 47424

**From:** [Chris Michael](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Written Comment Submission (Post-Hearing) // Cause No: 46084-U  
**Date:** Friday, September 6, 2024 9:25:06 AM  
**Attachments:** [IURC Post Hearing Comments Christopher Michael 05SEPT24.pdf](#)

---

**EXTERNAL EMAIL:** This email was sent from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

OUCC,

Please forward the attached letter for filing with the IURC my written public comment, that supplements my spoken testimony at the public hearing yesterday.

If someone would shoot me back an e-mail confirming the receipt of this message - and if this has been submitted for filing - I'd appreciate it.

V/r,

**Chris Michael**

P: (812)-699-0470

F: (812)-645-3957

[chrismichael313@gmail.com](mailto:chrismichael313@gmail.com)

STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES ) CAUSE NO. 46084 U  
THROUGH THE SMALL UTILITY )  
PROCEDURE PURSUANT TO IND. CODE )  
§ 8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )

**TENDER OF SUPPLEMENTAL CONSUMER COMMENT**  
**FOLLOWING PUBLIC FIELD HEARING**

I, Christopher Michael, having testified at the public field hearing held in this cause on September 5, 2024, hereby submit the following letter (marked as **Exhibit A**) as reiterative and supplemental public comment in the above-referenced cause.



CHRISTOPHER MICHAEL  
1968 N. STATE ROAD 157  
BLOOMFIELD, IN 47424  
P: 812/ 699-0470  
F: 812/ 645-3957  
E-MAIL: CHRISMICHAEL313@GMAIL.COM

09/05/2024

DATE

# EXHIBIT A

(812)-699-0470  
chrismichael313@gmail.com  
1968 N. State Road 157  
Bloomfield, IN 47424

Date: 09/05/2024

CAUSE NO: 46084-U

To: **IURC**

IURC,

Please accept this supplemental letter as a part of my official comment for the record and docket entry in this case.

## **FACTUAL BASIS**

- 9/18/20 – EH requested a base rate increase of 32.58%. Prior to this, there was no request for an increase since 4/19/05 (in 15 years)
- 4/7/21 – IURC approved base rate increase of 28.11% (4.47% Cut of the Requested Amount)
- 6/6/24 – Current petition filed with IURC requesting a base rate increase of 59.40%
- According to Census data, the average poverty rate for Bloomfield alone is 14.5%.

A 59.40% increase would mean that a \$100 monthly water bill would be increased by \$59.40, totaling \$159.40. I feel as if this number is inflated, in anticipation of a cut by IURC.

## **ARGUMENT**

Prior to the 2020 request, a request for a base rate increase had not been filed in 15 years by Eastern Heights, which they state in their letter to the customers filed on 9/18/20. The fact that there were no requests for increase by Eastern Heights in 15 years demonstrates in my opinion failure to forecast/plan a budget for future years. A mistake that Eastern Heights is now attempting to now rectify by requesting for such a large increase.

I understand the need for an increase. Everything is more expensive than it was five years ago. However, I do not think that it is in the customer's best interest to do this all at ones at an obscene amount of a 59.4% increase. While that increase might not affect me very much personally, it will affect many people in the community that are on a fixed income or are struggling with poverty.



A failure of budget planning by past Eastern Heights Management should not justify such an extreme increase now to rectify that.

I am asking the IURC to find in the best interest of the customers of Eastern Heights, and strike the requested amount this by at least half, if not more, upon carefully reviewing Eastern Height's financial data provided and hearing the other testimony presented at the hearing today.

Respectfully,

A handwritten signature in black ink that reads "Christopher Michael". The signature is written in a cursive, flowing style.

Christopher Michael

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Carl Overman - Form Submission - OUCC Contact Form: Carl Overman  
**Date:** Sunday, June 30, 2024 10:56:31 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title:

Name: Carl Overman

Email: coverman4231@gmail.com

Phone: (812) 381-4732

Address:

Bloomfield

IN

47424

Utilities: Eastern Heights Utilities, Inc.

Type of Inquiry: Case Comment

Comments: I have been a long term customer of Eastern Heights Utilities, Inc. and I feel as though an almost 60% rate increase is absurd. The only thing that would justify that much of an increase would be if this company was doing their best to provide their customers with the best quality of water they could provide. The water quality report that was sent out this month isn't even for 2024. I would like to know why this rate increase seems acceptable when families are already struggling.

**From:** [Dave White](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Dave White - rate increase  
**Date:** Saturday, June 29, 2024 10:42:48 AM

---

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

---

The rate increase is really high considering you only offer water to my home. Are any plans to offer more the water in my area is not healthy we don't drink it unless we first boil it as it smells awful and taste horrible

David & Ann white

13540 E woodview hills lane

Solsberry in 47459

Sent from [Mail](#) for Windows

**From:** [Erica Lee](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Erica Lee - Eastern Heights  
**Date:** Friday, September 6, 2024 9:25:19 AM

---

EXTERNAL EMAIL: This email was sent from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Hello,

I was unable to attend the public hearing this week, but wanted to be sure to voice my thoughts.

Our utilities have doubled (almost tripled) since Eastern Heights has increased their prices. We do not even drink the water because it tastes terrible. We do not even give tap water to our pets!!!! We are spending tons of money every month to purchase bottled water!

Something needs to be done either about the horrible smell and taste to the water or the prices need to go back down!!!!

Thank you,

Erica Brummett

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Erin Wilson - Form Submission - OUCC Contact Form: Erin Wilson  
**Date:** Friday, September 6, 2024 2:47:49 AM

---

EXTERNAL EMAIL: This email was sent from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mrs.  
Name: Erin Wilson  
Email: erinwilson6208@gmail.com  
Phone:  
Address: 1188 N State Road 157  
Bloomfield  
IN  
47424

Utilities: Eastern Heights Utilities

Type of Inquiry: Case Comment

Comments: I have been a customer of Eastern Heights Utilities for over 17 years. Prior to receiving water from EHU, I was raised on well water. Our well water was an "acquired taste" as it had a distinct sulfur smell which was noticeable to friends/family not used to drinking our tap water. The move to receiving water from Eastern Heights has been nothing but positive for me.

I have zero complaints about the quality, smell, or taste of the water provided by this Utility as it is a vast improvement over the well water on which I was raised.

A rate increase is validated given the general increase of overall costs for all goods and services in the past 5 years. The provided example of an increase of approximately \$14/month is NOT an unrealistic request. \$14/month equates to approximately 50 cents per day more! A bottle of soda in retail costs at least \$2. A Starbucks coffee cost upwards of \$5 per cup. How much then is it to ask for 50 cents more per day for one of your most essential resources to be treated and pumped directly into your home for activities of daily living? Water - needed not only to hydrate one's body but also necessary to flush your toilet, wash your clothes and dishes, and to clean your hands (remember that thing called COVID which necessitated hand hygiene?). How often do people take for granted the ability to simply turn the faucet on in their kitchen and baths and instantly have access to quality, treated water? The additional cost of 50 cents more per day far outweighs the alternative risk of losing this valuable resource. My water bill is consistently my cheapest utility each month.

EHU employees work diligently to identify any leaks and correct them as soon as possible. As someone who now has a trained eye to identify possible water leaks as I'm driving along, I would like to point out that other water utility companies within our own county (Greene County) have been witnessed to let water leaks on main highways continue to increase and become major issues prior to repair. That is not something you would see with EHU as they monitor systems continuously and take action to correct identified issues as quickly as possible.

Just as the costs for goods in the stores have increased for us as customers, how could you expect that the cost of equipment, parts, treatment materials, etc is not increasing for this business as well? Rate increase is necessary to maintain the level of service that we currently receive. I, for one, am not willing to risk a decrease in water quality or service provided by Eastern Heights Utilities over a mere 50 cents per day!

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Nancy K. Kinder - Form Submission - OUCC Contact Form: Nancy K. Kinder  
**Date:** Tuesday, June 25, 2024 8:09:16 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Ms.

Name: Nancy K. Kinder

Email: nancybeall82@yahoo.com

Phone: (812) 381-2500

Address: 130 W SPRING STREET

Bloomfield

IN

47424-1330

Utilities: EASTERN HEIGHTS UTILITIES, INC

Type of Inquiry: General Inquiry

Comments: Just received a notice that our rates are being increased 59.40% across the board. This is obscene and I do not agree with this. I can understand why there might be some increase but NOT 59.40%. Please do not allow them to do this to us. It is hard enough to pay the bills we have. Also, in Bloomfield the quality of the water is horrible. I filled my little pool this week and it had a brown tinge to it. Looking to get a water softener/purifier for my home. Thank you for your time. Nancy Kinder



**From:** [Olga and Marc Williams](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Olga and Marc Williams - Proposed rate increase by Eastern Heights Utilities, Inc.  
**Date:** Monday, June 24, 2024 9:59:55 PM

---

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

---

To whom it may concern,

Name: James Marc Williams

Address: 7362 S. Sand Hill Lane, Bloomfield, IN 47424

Subject: Proposed rate increase by Eastern Heights Utilities, Inc.

Today, 24 June 2024, I received a letter from Eastern Heights Utilities, Inc., dated 10 June 2024, stating they were intending to raise my water rates by 59.40%. They stated they are doing this without an IURC hearing, so I cannot supply you with a cause number per your website's instructions.

I am opposed to this rate increase.

-The rate of inflation has raised the cost of food, gasoline, and clothing. As a retiree, this is becoming more difficult for my family. I do not need my utilities also raised. The fact that the State of Indiana collects a sales tax on water is hard to understand.

-When we bought this house in 2020, the water smelled like rotten eggs and we could not drink it, bathe in it, or wash our clothes in it. We were forced to buy a whole-house water filter and water softening system to be able to use it. We further added a reverse osmosis system for drinking water.

-At least annually we receive a nice letter from Eastern Heights telling us how good the water is. And yet, I cannot see any improvement.

I am opposed to this increase.

If you need to contact me for further information, I am available at this email address, or the physical address above.

Sincerely,

J.M. Williams

**From:** [Skyler Pittman](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Skyler Pittman - Eastern Heights Utilities  
**Date:** Tuesday, June 25, 2024 1:16:54 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

Good afternoon,

There have been multiple rumors circulating through our community that our water company, Eastern Heights Utilities is considering a nearly 60% rate increase. As a Turkey and Cattle Farmer who uses a large amount of water each month to care for our animals, this increase would greatly affect our operation and our bottom line. Please look into this matter, if you're able. You can email or call me at (812) 236-1590 if you have any questions.

Thanks a have a great week!

Skyler Pittman  
Concerned Greene, Indiana County Resident  
Sent from my iPhone

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Taryn Cantrell - Form Submission - OUCC Contact Form: Taryn Cantrell  
**Date:** Tuesday, June 25, 2024 4:42:57 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Ms.  
Name: Taryn Cantrell  
Email: [deartaryn08@gmail.com](mailto:deartaryn08@gmail.com)  
Phone:  
Address:  
Bloomfield  
IN  
47424  
Utilities: Water- Eastern Heights Utilities

Type of Inquiry: Case Comment

Comments: The letter sent to Greene County residents (Bloomfield and Eastern Greene), dated June 10, 2024 regarding a proposed rate increase of residents' water usage should really be reviewed. The fact that the water has so much sediment in which it has destroyed two water heaters in my home in the last 10 years, it has ruined humidifiers within months, caused countless faucets to need replacement and heaven forbid you even think about filling a glass and drinking it is insane in itself. And yet, they're proposing a 59% plus increase across the board? I'm sorry but unless that increase is being used for extensive filtration systems (maybe even some that prevent farming chemicals from seeping into the drinking water and no doubt causing the extensive cases of cancer in this community) then it's completely uncalled for. I can't imagine paying \$60 per month for water I'm scared to even bathe my child in. Especially when I still have to buy jugs and bottles of filtered water from the store to use for consumption and cooking.

**From:** [Tiffany Crum](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Tiffany Crum - Eastern Heights Utilities Bloomfield  
**Date:** Wednesday, June 26, 2024 12:50:44 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

Dear IURC,

I've recently received a letter stating Eastern Heights Utilities submitted a "small U filing" to increase the rates charged to customers at a 59.40% increase.

First, there's nothing "small" about that percent. As a single parent working a good full time job for the US government, it's still a struggle to pay bills and get ahead in this economy.

Raising two kids with no support, makes changes like these extremely stressful! Greene county has a lot of low income citizens, with little opportunity for high paying jobs close by. We're getting increases thrown at us left and right and most citizens don't receive any cost of living increase or when they do, it's next to nothing after getting taxed and all these other price hikes. It's exhausting!

Everything is going up, except our income.

So please take these things into consideration when approving any of these requests. Maybe don't approve the full almost 60%, maybe put yourself in our shoes as a working tax payer yourselves, it's hard! I understand sometimes things need to be in place or upgraded but there has to be a reasonable limit to all these raises.

Thank you for your time.

Tiffany

[Sent from Yahoo Mail for iPhone](#)

**From:** [Yvette Rollins](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Yvette Anderson-Rollins - Eastern Heights Utilities, Inc rate increase  
**Date:** Friday, August 23, 2024 12:05:17 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

Eastern Heights Utilities is proposing an across-the-board rate increase of 59.40%. I understand the need for increased funding to update equipment, but I think the rate increase is too steep. I can support a 10% increase in rates but not a 59.40% increase. I also think there is additional funding through grants that could be utilized to upgrade equipment. I am on a very fixed income and only wish I could get a 50% increase in my income.

Sincerely,

Yvette Anderson-Rollins  
12784 E Rollins Ln  
Springville, IN 47462

812-797-4540

'Tread Lightly upon the Land and Leave No Trace!'

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Aaron Fellows - Form Submission - OUCC Contact Form: Aaron Fellows  
**Date:** Tuesday, July 9, 2024 8:02:36 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.

Name: Aaron Fellows

Email: aaron.fellows@gmail.com

Phone: (812) 606-6444

Address: 902 South Mineral-Koleen Road

Bloomfield

IN

47424

Utilities: Eastern Heights Utilities, Inc.

Type of Inquiry: Case Comment

Comments: Requesting a public hearing in the matter of Eastern Heights Utilities, Inc's application for a 59.4% "Across-the-Board" increase to rates for its customers. I am a customer with Eastern Heights Utilities. A proposed nearly 60% increase without any reasoning is absurd. Please look into this. Thank you for your time.



**From:** [Alexander Finnigan](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Alex Finnigan - Ind. Code 8-1-2-61.5  
**Date:** Thursday, July 4, 2024 1:10:18 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

I am emailing to complain about the suggested 59.4% rate increase being proposed by Eastern Heights Utilities, Inc. filed an Application with the Indiana Utility Regulatory Commission (IURC) to those of us in our rural community. This is completely outlandish, and unprecedented as a rate hike that high in an area that is monopolized is unethical and a disgusting grab at wealth rather than service. I request that a hearing should be held so members of the community can ask questions in concern to this change, as well as challenge the legal side of things in an open forum.

Respectfully,  
Alex Finnigan

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Amy Seidler - Form Submission - OUCC Contact Form: Amy Seidler  
**Date:** Tuesday, June 25, 2024 5:40:39 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title:

Name: Amy Seidler

Email: [seidler.a@gmail.com](mailto:seidler.a@gmail.com)

Phone:

Address:

Bloomfield

IN

47424

Utilities: Water- Eastern Heights Utilities

Type of Inquiry: General Inquiry

Comments: I received a letter today announcing a 50%+ rate increase for our water utility. This seems to be an extreme increase with little to no explanation of need.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Arthur T Baechtold Jr - Form Submission - OUCC Contact Form: Arthur T Baechtold Jr  
**Date:** Saturday, June 29, 2024 6:06:05 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: Arthur T Baechtold Jr  
Email: [tbaechtold@gmail.com](mailto:tbaechtold@gmail.com)  
Phone: (812) 340-5735  
Address: 5367 N. Blue Heron Road  
Solsberry  
IN  
47459

Utilities: Eastern Heights Utilities, Inc

Type of Inquiry: Case Comment

Comments: Our community received notice of a proposed rate hike for our water service of approximately 59%. While I understand there are instances where rate hikes need to be requested, my concern for this rate hike centers on the lack of information provided by the utility as to the purpose and proposed enhancements to our service that would result from this hike. In reading the formal request, I did not see any indication as to what this rate increase is to do for the community. If it is merely to address mismanagement that should be addressed by the Board of EHU, Inc. If the Board has valid and reasonable reasons for the request, it would seem they need to clearly and effectively state those as part of the rate request. To request such a large increase without specific reasoning and explanation suggests that there is no clear purpose for the additional funds this increase would produce. Please require EHU, Inc. to justify their request or if they will not, decline their request . Thank you!

**From:** [Brenda Hughes](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Brenda Hughes - Eastern Heights Utilities Inc. proposed rate increase  
**Date:** Sunday, July 7, 2024 11:08:04 PM

---

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

---

I'm a widow on a fixed income. A 59.4% is a big increase and would be especially bad for families. Request the justification for such a large increase in the water rate. There was none given in the letter letting us know of the proposed rate increase. I think it should be half of the proposed increase, particularly when no reason was given for such a large increase. With the cost of living so high, it's a very bad time for such a large increase.

Brenda Hughes  
112

**From:** [Barbra Carter](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Barbra Carter - RE: Eastern Heights Utilities, Inc Application with IURC for rate increase  
**Date:** Thursday, September 5, 2024 3:43:48 PM  
**Attachments:** [image001.png](#)

---

**EXTERNAL EMAIL:** This email was sent from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Thank you for your information.

Due to some unforeseen circumstances, we will not be able to attend this meeting. But please do know that we are completely against this high of an increase. This high of an increase will cause my family to have to cut costs in areas such as food and clothing to be able to afford this.

Please deny this request for the sake of all of the Greene County families that this will affect.

The Carters.

*Barb Carter*  
*Office Manager, Monroe County Planning Department*  
*Monroe County Government Center*  
*501 N. Morton St., Suite 224*  
*Bloomington, IN 47404*  
*(812) 349-2560*  
[bcarter@co.monroe.in.us](mailto:bcarter@co.monroe.in.us)

---

**From:** UCC Consumer Info <uccinfo@oucc.IN.gov>  
**Sent:** Thursday, August 29, 2024 3:54 PM  
**To:** Barbra Carter <bcarter@co.monroe.in.us>  
**Subject:** RE: Eastern Heights Utilities, Inc Application with IURC for rate increase

Hello,

Thank you for contacting the Indiana Office of Utility Consumer Counselor (OUCC) regarding the Eastern Heights Utilities rate case.

The OUCC is the state agency representing consumer interests before the Indiana Utility Regulatory Commission (IURC). Our staff will be reviewing the utilities request and will file recommendations on Sept. 18.

Our office requested a public field hearing in this case and the IURC has granted that request. The hearing is scheduled for Sept. 5 at 6:00 p.m. in the Bloomfield Middle & High School Cafeteria.

No final decision in the case will be made at this hearing, which is being held solely to receive public comments. Our website includes an overview of [public field hearings](#) if you would like more information.

We will be providing updates on the case through our monthly newsletter and we encourage you to [subscribe online](#), or by responding to this email. We will also provide updates on our social media accounts via [Twitter](#), [Facebook](#) and [Instagram](#).

We appreciate your comments. Thank you again for contacting us.



Olivia Rivera  
Director of External Affairs  
Indiana Office of Utility Consumer Counselor  
115 West Washington Street, Suite 1500 South  
Indianapolis, Indiana 46204  
[www.IN.gov/OUCC](http://www.IN.gov/OUCC)  
317.232.2494

[Subscribe to our newsletter for case updates!](#)

---

**From:** Barbra Carter <[bcarter@co.monroe.in.us](mailto:bcarter@co.monroe.in.us)>  
**Sent:** Tuesday, July 9, 2024 1:41 PM  
**To:** UCC Consumer Info <[uccinfo@oucc.IN.gov](mailto:uccinfo@oucc.IN.gov)>  
**Subject:** Eastern Heights Utilities, Inc Application with IURC for rate increase

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

---

To Whom It May Concern,

I am writing to you in regard to the pending application that Eastern Heights Utilities has filed with the Indiana Utility Regulatory commission to increase water rates.

They are requesting a rate increase of 59.40%. While I fully understand that with the shape our economy is in currently every company has to raise their rates at some point in order to stay afloat, I feel that a 59.40% increase is ludicrous.

My average is billing each month is around \$23. A rate increase of this size would be \$13.67 more for a total of \$36.67 a month. This is a very large increase that will be very hard for me and my family to afford. We are a family of 4 and this increase would be devastating to us.

I would ask that you deny Eastern Heights Utilities' current application for the rate increase of 59.40% and ask them to come back with a rate increase that is more affordable for their customers.

Thank you for your time.



Shon Carter  
13241 E Oak Haven Dr  
Solsberry, IN 47459  
(812) 825-8256

*Barb Carter*  
*Office Manager, Monroe County Planning Department*  
*Monroe County Government Center*  
*501 N. Morton St., Suite 224*  
*Bloomington, IN 47404*  
*(812) 349-2560*  
[bcarter@co.monroe.in.us](mailto:bcarter@co.monroe.in.us)

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Douglas Strickland - Form Submission - OUCC Contact Form: Douglas Strickland  
**Date:** Tuesday, June 25, 2024 5:19:23 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: Douglas Strickland  
Email: [danastrickland2006@gmail.com](mailto:danastrickland2006@gmail.com)  
Phone: (812) 699-3111  
Address: 954 S. Lewis St.  
Bloomfield  
IN  
47424  
Utilities: Water  
Type of Inquiry: Case Comment  
Comments: I think raising the water price over half of what we already pay is ridiculous. 59.40 percent is absurd.  
How will this affect our economy even more.

**From:** [TERRI Boyd](#)  
**To:** [UCC Consumer Info](#)  
**Cc:** [Boyd Terri](#)  
**Subject:** Terri Boyd - Eastern Heights Utilities Rate Increase  
**Date:** Tuesday, June 25, 2024 6:20:21 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

We just received the letter that Eastern Heights Utilities is asking for a 59 percent rate increase. This seems outrageous and a hearing should happen as to why. No one receives a 59 percent raise in their wages. So why should a utility business get an automatic increase with no questions? There should be public explanations as to the whys. Inflation has hit everyone without the wages to match, but 59 percent seems outrageous.

Terri Boyd  
Sent from my iPhone

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Treva Lukens - Form Submission - OUCC Contact Form: Treva Lukens  
**Date:** Tuesday, June 25, 2024 6:41:08 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Ms.

Name: Treva Lukens

Email: [trevalukens@yahoo.com](mailto:trevalukens@yahoo.com)

Phone: (812) 381-5514

Address: 11019 E Main St

Owensburg

IN

47453

Utilities: Water- Eastern Heights

Type of Inquiry: Case Comment

Comments: Please do not allow a 60% increase to the water bills for customers of Eastern Heights Utilities. An increase of this amount will make it very difficult if not impossible for some on fixed incomes pay these prices. I appreciate your consideration in not allowing such an extreme increase. Thank you!

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Bryan Smith - Form Submission - OUCC Contact Form: Bryan Smith  
**Date:** Tuesday, June 25, 2024 6:53:06 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: Bryan Smith  
Email: [besmith@blumarble.net](mailto:besmith@blumarble.net)  
Phone: (812) 825-3101  
Address: 1444 N. Lawrence Hollow Dr.  
BLOOMFIELD  
IN  
47424  
Utilities: Eastern Heights Water  
Type of Inquiry: General Inquiry  
Comments: Can there be some sort of hearing on the proposed 59% + increase in water? I understand the water needs to go up but almost 60 percent seems a tad ridiculous.

**From:** [bjhardisty@aol.com](mailto:bjhardisty@aol.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** BJ Hardisty - Proposed water rate increase  
**Date:** Tuesday, July 2, 2024 3:49:04 PM

---

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

---

My husband and I are customers of Eastern Heights Utilities in Bloomfield Indiana. This proposed water rate increase of 59.40%, why don't we just say 60%, seems a little ridiculous. All,of a sudden they feel the need to do this to us? Have we missed some form of communication of problems leading up to this preposterous rate increase? Every customer is entitled to an explanation of why they are requesting this huge increase. Are there any regulations that limit how much a utility can raise their rates?

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Bridget Anderson - Form Submission - OUCC Contact Form: Bridget Anderson  
**Date:** Monday, July 1, 2024 11:42:11 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mrs.  
Name: Bridget Anderson  
Email: [bridget.gross@gmail.com](mailto:bridget.gross@gmail.com)  
Phone: (812) 825-6838  
Address: 11779 E Wagner Road  
Solsberry  
IN  
47459  
Utilities: Eastern Height Utilities, Inc.  
Type of Inquiry: General Inquiry  
Comments: To Whom it May Concern,

I am writing to express concern regarding recent notification from Eastern Heights Utilities, Inc. requesting a water rate increase. We received a letter informing us of a proposed rate increase of 59.40%.

This kind of increase is significant for our rural community and its residents; therefore, it should warrant a local public hearing. This would provide an opportunity to understand the need for the increase and give Eastern Heights Utilities, Inc. a chance to connect with its consumers who are most affected by this decision. Many of our neighbors are low-income and on fixed incomes, already challenged to keep up with rising costs of services. Water is the most essential of these services and Eastern Heights Utilities, Inc. should be able to articulate the need for the increase and options for those whose budgets will be most affected by this change.

The IURC has a duty to keep our utilities accountable and I would like to request a hearing so that we can be informed and engaged in these decisions that affect us financially.

Thank you for your attention to this matter.

Sincerely,  
Bridget Anderson  
11779 E. Wagner RD  
Solsberry, IN 47459



**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** David Merida - Form Submission - OUCC Contact Form: David Merida  
**Date:** Wednesday, June 26, 2024 6:10:05 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.

Name: David Merida

Email: [djjmer@outlook.com](mailto:djjmer@outlook.com)

Phone: (812) 876-2164

Address:

Solsberry

IN

47459

Utilities: Eastern Heights Utilities, Inc.

Type of Inquiry: Case Comment

Comments: Case: 46084-U

There is no publicized reason for this rate increase. Why are they needing a 59.4% increase? They were approved for a 28.11% increase just three years ago.

Not sure if the utility serves more than 8000 customers. Several neighbors are not happy with the rate increase request.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Darrell Raines - Form Submission - OUCC Contact Form: Darrell Raines  
**Date:** Tuesday, June 25, 2024 6:34:54 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: Darrell Raines  
Email: [darrellraines3@gmail.com](mailto:darrellraines3@gmail.com)  
Phone: (812) 327-6688  
Address:  
Solsberry  
IN  
47459  
Utilities: Eastern heights utilities  
Type of Inquiry: Case Comment  
Comments: Rate increase is excessive, and unjustified

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** David Grubor - Form Submission - OUCC Contact Form: David Grubor  
**Date:** Wednesday, June 26, 2024 4:24:35 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: David Grubor  
Email: cubfandv1@yahoo.com  
Phone: (812) 249-6979  
Address: 101 South Wabash Avenue  
Worthington  
IN  
47471  
Utilities: Eastern Heights Utilities, Inc.  
Type of Inquiry: Case Comment  
Comments: Eastern Heights is proposing an increase of rates by approximately 59.40%. I am concerned in this amount since i am retired and on a fixed income. I think this is a significant increase and i would like this to be justified

**From:** [francis.montgomery](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Francis Montgomery - Proposed 59.4% Rate Increase!  
**Date:** Sunday, August 4, 2024 1:53:15 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

Dear people of the Indiana Utility Regulatory Commission,

I can accept a rate increase, BUT one over 20% seems to be excessive and out of line!

Thank you for reviewing the rate increase of 59.4% requested by our local Eastern Heights Utilities, Inc, 316 N Washington St, P.Om Box 8, Bloomfield, IN 47424

Sinceret,  
Francis Montgomery  
1039 S Iron Mountain Rd  
Bloomfield, IN 47424

[Yahoo Mail: Search, Organize, Conquer](#)

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Jonathan Walker - Form Submission - OUCC Contact Form: Jonathan Walker  
**Date:** Monday, June 24, 2024 11:39:21 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title:

Name: Jonathan Walker

Email: johnwalkerusmc@hotmail.com

Phone:

Address:

Bloomfield

IN

47424

Utilities: Eastern Heights Utilities, INC

Type of Inquiry: Case Comment

Comments: I have become aware of the proposal the raise our water bill approximately 59.4% across the board. Maybe a raise of 10-15 % would be more justifiable/ appropriate. But a raise of this much all at once seems absolutely absurd. I mean why not just double it?. Almost a 60 % raise. No way

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Joshua Benge - Form Submission - OUCC Contact Form: Joshua benge  
**Date:** Thursday, July 11, 2024 8:41:13 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.

Name: Joshua benge

Email: maurice.halstead@gmail.com

Phone: (317) 744-3065

Address: 386 N. Whippoorwill Lane

Bloomfield

IN

47424

Utilities: Eastern heights utilities, Inc.

Type of Inquiry: Case Comment

Comments: I think if anybody raises our rates , at 59.40% we should have a hearing on this and not just saying okay we're able to do it because nobody filed with a complaint or a comment treat us fairly . We would like to know what the rate hike is for, where it is going, what new services we are going to attain, etc.

**From:** [Sunta, Anthony \(URC\)](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Joshua Cobb - New Inquiry 137886 CRM:0351000001822  
**Date:** Monday, July 1, 2024 11:07:28 AM

---

This correspondence is regarding an inquiry the Consumer Affairs Division of the Indiana Utility Regulatory Commission received involving Eastern Heights Utilities, Inc.. Please review the information contained here and respond directly to this email. For tracking purposes, please keep all subsequent correspondence in the same email thread.

---

-----  
----  
Case: 137886  
Created On: 7/1/2024 10:18 AM  
Assigned Date: 7/1/2024 10:52 AM  
Case Type: Inquiry  
Industry: Water  
**Hot Case Type:**  
Case Category: Billing Dispute  
Case Detail 1: Rates - Water  
Case Detail 2: Service Charges - Water  
Contact Method: Online  
Assigned Analyst: Anthony Sunta

---

-----  
-----  
Customer Type: Residential  
Customer: Joshua Cobb  
Business Phone:  
Home Phone:  
Contact Phone: 904-735-0050  
Service Address: 653 North Deer Lake Drive  
City, State, ZIP: Bloomfield , IN , 47424  
Email: jcobbdawg@gmail.com

---

-----  
----  
Case Description: Planned rate increase of almost 60% is ridiculous.

Sincerely,

Anthony Sunta  
Consumer Affairs Division  
Indiana Utility Regulatory Commission



101 West Washington Street, Suite 1500 E  
Indianapolis, IN 46204

AnSunta@urc.IN.gov

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Judy Wright - Form Submission - OUCC Contact Form: Judy Wright  
**Date:** Thursday, September 5, 2024 8:14:20 PM

---

EXTERNAL EMAIL: This email was sent from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mrs.  
Name: Judy Wright  
Email: judyandodell@gmail.com  
Phone: (812) 384-5712  
Address: 3177 S US Highway 231  
Bloomfield  
IN  
47424  
Utilities: Eastern Heights Utilities  
Type of Inquiry: Case Comment  
Comments: Subject utility is proposing a 59.4% increase - such an increase will be detrimental to customers on a fixed income. Businesses will increase their prices - therefore customers will have to pay more for products. Is this money needed to improve our existing water supply or is this money needed to supply water to Crane Technology Park?

**From:** [Jim Resler](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Kim Resler - Eastern Heights Rate Increase  
**Date:** Wednesday, June 26, 2024 7:56:12 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

We were notified of the rate increase coming for our water. Don't you think a 59.4% hike is unreasonable? We sure do.

You can stop it from happening. The people are being hurt enough from all around. Don't let this happen.

Kim Resler

[Yahoo Mail: Search, Organize, Conquer](#)

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Larry M. Burch - Form Submission - OUCC Contact Form: LARRY M. Burch  
**Date:** Thursday, June 27, 2024 10:24:42 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.

Name: LARRY M. Burch

Email: [larrymburch@bluemarble.net](mailto:larrymburch@bluemarble.net)

Phone: (812) 325-5909

Address: 5352 N State Road 43

Solsberry

IN

47459

Utilities: EASTERN HEIGHTS UTILITIES

Type of Inquiry: Case Comment

Comments: Cause no.46084. There is no way anybody in their right mind would ask for a 59.40% increase. There must be some kind management problem if that is really needed. I hope you will turn this down and look in to problem. THANK YOU, Larry

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Lebert Starnes - Form Submission - OUCC Contact Form: Lebert Starnes  
**Date:** Tuesday, June 25, 2024 10:26:28 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: Lebert Starnes  
Email: [lee1001starnes@gmail.com](mailto:lee1001starnes@gmail.com)  
Phone: (812) 360-4886  
Address: 789 S. Strauser Rd  
Springville  
IN  
47462  
Utilities: Eastern Heights Utilities Inc.  
Type of Inquiry: Case Comment  
Comments: I received a letter stating the utility has requested a 59.4% increase.

I don't believe this amount should be approved all at once as many families are struggling to pay their current bills at the current rates in today's economy.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Matthew Patterson - Form Submission - OUCC Contact Form: Matthew Patterson  
**Date:** Tuesday, June 25, 2024 7:30:30 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: Matthew Patterson  
Email: [mktrpatterson@gmail.com](mailto:mktrpatterson@gmail.com)  
Phone:  
Address: 2543 N Raines Rd  
Bloomfield  
IN  
47424

Utilities: Eastern Heights Utilities, Inc.

Type of Inquiry: Case Comment

Comments: We understand that inflation is happening everywhere, but to raise our rates 60% at once is outrageous and absurd. Have you discussed a plan of raising them slowly over a course of time? Reconsider the drastic increase at once. Members of the Easter Heights Community will not be able to afford such a drastic increase either. Please reconsider.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Neha Williams - Form Submission - OUCC Contact Form: Neha Williams  
**Date:** Thursday, June 27, 2024 1:30:56 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mrs.  
Name: Neha Williams  
Email: [blgtn2000@gmail.com](mailto:blgtn2000@gmail.com)  
Phone: (812) 325-3827  
Address: 12353 E HOBBIEVILLE RD, SPRINGVILLE, IN 47462-6237  
Springville  
IN  
47462  
Utilities: Eastern Heights Utilities, Inc.

Type of Inquiry: Case Comment

Comments: I have already sent a letter to the Secretary of the Commission requesting a public hearing.

I am contacting you as an individual (customer) of Eastern Heights Utilities in response to the letter I received on June 10, 2024 of a proposed increase in the water rate of 59.40% "Across-the-Board".

For one, the letter that was mailed to the water customers is very generic. It doesn't explain nor justify the reason for the increase. It's not my responsibility to be providing new vehicles for their employees. Second, Eastern Heights was approved of a rate increase of 32.58% "Across-the-Board" back in a letter sent out to water customers on September 21, 2020. There is absolutely NO reason for another increase of 59.40% in less than 4 years. I have to live within a budget so should Eastern Heights Utilities, Inc.

Thanks  
Neha Williams



**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Nora Becker - Form Submission - OUCC Contact Form: Nora Becker  
**Date:** Wednesday, June 26, 2024 12:33:52 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mrs.  
Name: Nora Becker  
Email: silver13fox@aol.com  
Phone: (303) 903-6649  
Address: 1612 N State Road 45  
Solsberry  
IN  
47459  
Utilities: Eastern Heights Utilities District  
Type of Inquiry: Case Comment  
Comments: My husband and I received a notice in the mail about a proposed increase in the water rate and it indicated 59.40% increase. That is outrageous! What did the water district do to improve our water that would cause such an increase, while cost of living has jumped high- not that high. We totally disagree with this increase. If you must increase be reasonable below 10%. There are many citizens on fixed incomes and Social Security or are Military. Please reconsider options!

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Paul Giebel - Form Submission - OUCC Contact Form: Paul Giebel  
**Date:** Friday, July 5, 2024 10:23:30 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title:

Name: Paul Giebel

Email: [coffee.ferret@gmail.com](mailto:coffee.ferret@gmail.com)

Phone:

Address: 9656 W State Rd 48

Bloomington

IN

47404

Utilities: Eastern Heights Utilities, Inc

Type of Inquiry: Case Comment

Comments: I recently received a letter informing us of the proposed rate increase of 59.40%. That is an absolutely wild increase, the utility has made no communication about the reasons for the increase, and I think it is unjustified for a utility which has a functional monopoly to be able to do such a high jump of rates. I could see a gradual increase yearly, but with the current situation we are facing in this economy, it's really seeming like a low blow to regular people. I could see an increase aligned with the cost of living but to be able to just decide to increase price by nearly 60%, I cannot understand what the reasons are.

Thanks for your time,

Paul Giebel

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Phillip Sylvester - Form Submission - OUCC Contact Form: Phillip Sylvester  
**Date:** Friday, June 28, 2024 12:52:23 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title:  
Name: Phillip Sylvester  
Email: douglasheather13@yahoo.com  
Phone: (812) 327-0457  
Address: 1382 N Lawrence Hollow dr  
Bloomfield  
IN  
47424  
Utilities: Water  
Type of Inquiry: General Inquiry  
Comments: We do not want to see our water bills go up.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Phyllis Kirby - Form Submission - OUCC Contact Form: Phyllis Kirby  
**Date:** Wednesday, June 26, 2024 11:30:21 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mrs.  
Name: Phyllis Kirby  
Email: kirby.phyllis@gmail.com  
Phone: (812) 699-2390  
Address: 214 North Washington Street  
Bloomfield  
IN  
47424

Utilities: Eastern heights utilities, Inc

Type of Inquiry: Case Comment

Comments: I received a notice from Eastern heights utilities from June 10th 2024. They are wanting a 59.40% increase across the board. They filed an application pursuant Indiana code 8-1-2-61-5. I do not feel that that is an acceptable increase for people in this community. Please send me any forms I need to fill out regarding this matter.  
Thank you Phyllis Kirby

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Randy Raines - Form Submission - OUCC Contact Form: Randy Raines  
**Date:** Wednesday, June 26, 2024 11:31:32 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: Randy Raines  
Email: rrraines@smithville.net  
Phone: (812) 863-2329  
Address: 12328 east Joe smith road  
Springville  
IN  
47462  
Utilities: Eastern heights utilities  
Type of Inquiry: Case Comment  
Comments: The rate hike Eastern Heights utilities is ask for is way to much. 60% increase is way to much

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Richard E Petermichel Jr - Form Submission - OUCC Contact Form: Richard E Petermichel jr  
**Date:** Wednesday, June 19, 2024 7:27:35 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: Richard E Petermichel jr  
Email: racein57@gmail.com  
Phone: (812) 325-1015  
Address: 9523East oakhill Dr  
Bloomfield  
IN  
47424  
Utilities: Eastern greene water corporation

Type of Inquiry: Case Comment

Comments: In reference to the rate increase of 59.40 I think in excessive we have live in eastern greene for 6 years .when we first move here I have a shower in my master bathroom it has tile in it all the grout line and tile or rust color as well as the shower curtains are the same all the pipes in my house are pvc I call a while back and ask about it all they said was that it's well water nothing they can do just have to live with. Something change I know everything has gone up in price but a 50% jump in the rate that a bit much. Everyone is having to watch there bugets now days I don't mind paying a little more but that a big increase to me all at once for the quality of water I took a sample to a friend he's tested it he just look at me

4

**From:** [Sara Jones](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Sara Jones - Water Utility Rate Increase  
**Date:** Wednesday, August 7, 2024 2:04:42 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

To Whom It May Concern:

The rate increase of 59.4% proposed by Eastern Heights Utilities for our water service is outrageous! Families are struggling, and raising rates by more than half the current cost makes it harder to provide. The proposed increase is well beyond what could be considered reasonable. Income is not increasing to keep up with such expense, especially at a time when many families have already had to cut back so much to cover the bills. Please help struggling families by keeping utility costs reasonable without such a large increase.

Sincerely,  
Sara Jones

[Yahoo Mail: Search, Organize, Conquer](#)



**From:** [Stephanie Christy](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Stephanie Christy - Eastern Heights Utilities rate increase  
**Date:** Friday, July 5, 2024 9:30:45 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

To whom it may concern. A rate increase of this size will make it harder for families that are already struggling. The cost of electricity, food, gas and everything else is hurting so many. I understand their cost of doing business has increased also but an increase if this size is way to much.

Very concerned citizen  
Stephanie

**From:** [Doyle Bittle](#)  
**To:** [UCC Consumer Info](#)  
**Cc:** [ashes111384@gmail.com](mailto:ashes111384@gmail.com)  
**Subject:** Doyle Bittle - Eastern Heights Utilities Inc.  
**Date:** Wednesday, June 26, 2024 10:52:17 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

Can you please give us basis on the 59% increase on utilities. We are Doyle and Ashley Bittle at 13402 E. Hickory Hills ct Solsberry Indiana 47459. We would like to formally advise we and our neighboring communities would like a municipal location for disputing the increase with IURC. Please advise

**From:** [Peggy Wolfe](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Eastern Heights rate increase  
**Date:** Tuesday, June 25, 2024 12:36:52 PM

---

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

---

**TO WHOM IT MAY CONCERN:**

Given that my current rate have not increased for the length of time that I have lived at my current address for my water service, I have still seen rate increases on everything else. Over the last year alone, I have seen a \$40/month rate on drug insurance, \$40/month increase in medical insurance, \$19/month in sewage rates, and that is not even address food and necessity cost increase. I am not seeing what the rate increase is for, nor when it is to be implemented. The asking rate is 59.40% increase. Please deny that amount, and have the explanation of what the increase is to be used for. I do understand that these systems are aging, and that upgrades are necessary. I pay the same amount as a single person household as a household of up to 6 people, and that is for sewage and water. I try to be as conservative as possible. I am retired, but have a small part-time job to supplement my income. I cannot do much more. Sincerely,  
Peggy Wolfe, Worthington. Indiana

**From:** [Ethel Workman](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Ethel Workman - Eastern Heights Rate Increase  
**Date:** Wednesday, September 4, 2024 10:20:54 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

Hello,

Thanks for the opportunity for customers to provide input regarding the excessive Eastern Heights Utilities rate increase.

I'm sure they have a plan for the increase, which would also require a budget to come up with the percentage increase. I would like to see the new/old budget comparison and where the planned increases are to be used. Any big projects in the future, replacement of old equipment, lines, administrative, etc.?

Also, being retired, in fairness, quite aware of the everyday expenses that have skyrocketed and realize the utility company cannot absorb the expense and still provide a quality service. Everyone is reeling from the economy onslaught and I, personally, feel the increase should come in increments, not such a hit all at once. This would provide the customers a bit of time to adjust their own budget to accommodate for the extra dollars.

I'm very appreciative of the water and service provided by Eastern Heights Utilities, just would like to see more information regarding the inflation. Also, was wondering, how far into the future was this percentage projected to cover in their budget calculation?

Immediate, two or five years?

Thank you,

Ethel Workman  
3186 N State Rd 45  
Solsberry, IN 47459  
812-606-9113  
Sent from my iPad

**From:** [Gary Johnson](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Gary Johnson - Rate hike proposal  
**Date:** Tuesday, June 25, 2024 7:23:33 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

I received a letter on 6-24-24 from the Eastern Heights Utilities, Inc. stating they have submitted a request for a rate hike. The letter goes on to say they are requesting a 59.40% increase. I realize the cost of everything has gone up over the past three years, however, this 59.40% increase seems extremely high. I don't oppose an increase for Eastern Heights Utilities but I don't think it should be what they are requesting. Please consider an increase of perhaps 20 to 25 percent.

Respectfully,  
Gary Johnson

**From:** [Heather Criss](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Heather Criss - Eastern heights utilities  
**Date:** Wednesday, July 3, 2024 2:58:19 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

There is no way I will be able to sustain with an increase to my water bill at 5943 n Britton rd  
Solsberry in 47459

Sincerely  
Heather Criss

Sent from my iPhone

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Jamie Starnes - Form Submission - OUCC Contact Form: Jamie Starnes  
**Date:** Tuesday, June 25, 2024 10:35:36 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Ms.

Name: Jamie Starnes

Email: [mymomsmmyangel@gmail.com](mailto:mymomsmmyangel@gmail.com)

Phone: (812) 679-8789

Address: 921 s trauser rd

springville

IN

47462

Utilities: Eastern Heights Water

Type of Inquiry: Case Comment

Comments: I am not okay with over a 50% increase. As a single female supporting myself it is already difficult to make ends mee. Please don't add to the stress of being able to make my payments.



**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Sue Collins - Form Submission - OUCC Contact Form: Sue Collins  
**Date:** Thursday, June 27, 2024 2:26:27 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Ms.  
Name: Sue Collins  
Email: suecollins54@gmail.com  
Phone: (812) 821-0296  
Address: 6067 Pleasant Bethel Rd.  
Worthington  
IN  
47471  
Utilities: Eastern Heights Utilities Inc  
Type of Inquiry: Case Comment  
Comments: A ridiculous request by this utility to raise our bill 59.40%.  
This is a big jump for fixed incomes. It is a big increase for anyone.

Sue Collins

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Theresa Barker - Form Submission - OUCC Contact Form: Theresa Barker  
**Date:** Friday, September 6, 2024 8:58:36 PM

---

EXTERNAL EMAIL: This email was sent from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mrs.  
Name: Theresa Barker  
Email: [tmgutzwiller@sbcglobal.net](mailto:tmgutzwiller@sbcglobal.net)  
Phone: (812) 381-1001  
Address: 146 W County Line Rd  
Newberry  
IN  
47449  
Utilities: Eastern Heights  
Type of Inquiry: Case Comment  
Comments: 60% rate increase is too drastic! Our community can not afford this type of increase without a financial hardship.

**From:** [Wagner, Tracey D](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Tracey D Wagner - 2024 Eastern Heights Utilities rate increase  
**Date:** Wednesday, September 4, 2024 9:13:41 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

Good morning,

Thank you for providing an opportunity for customers to voice concerns regarding the excessive Eastern Heights Utilities rate increase.

Rate increases are inevitable due to rising cost of living expenses but this is a huge increase with no explanation. I would like to know the justification and see a budget for the planned use of additional income. If justifiable, can the increase be phased in over 3-5 years instead of all at one time.

With a huge rate increase like this one would think EHU would be implementing new services/processes that will benefit their customers. Are they?

Thank you,

Tracey Wagner  
12448 E Wagner Rd  
Solsberry, IN 47459  
812-325-4777

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Travis Barker - Form Submission - OUCC Contact Form: Travis Barker  
**Date:** Thursday, September 5, 2024 8:19:45 PM

---

EXTERNAL EMAIL: This email was sent from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title:

Name: Travis Barker

Email: [travis.barker73@hotmail.com](mailto:travis.barker73@hotmail.com)

Phone:

Address:

Newberry

IN

47449

Utilities: Eastern Heights Utilities

Type of Inquiry: Case Comment

Comments: A 60% rate increase is drastic. A push has been made for utilities to expand to the Crane Tech Park and normal residential customers are having to foot the bill. Please deny this rate increase

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Warren Remick - Form Submission - OUCC Contact Form: warren remick  
**Date:** Sunday, June 30, 2024 3:26:02 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.

Name: warren remick

Email: remickwarren@gmail.com

Phone: (765) 341-1908

Address: 3936 SOUTH OLD CLIFTY RD

BLOOMFIELD

IN

47424

Utilities: eastern heights utilities inc.

Type of Inquiry: Case Comment

Comments: This is on the rate hike of almost 60% , If this goes Through at least It should be considered to split rate hike into 3 sections 1/3 first year 2/3 second year and full almost 60% third year that would be more fair to We The People. That's a big jump in our water bill The Government cause the inflation that we are up against right now. By creating money out of thin air making the Dollar worth less. We the people are struggling financially . That's my opinion but is a fact. thanks for your time. "To whom it may Concern" IURC AND OUCC I would like a response on this matter thank you again.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Form Submission - OUCC Contact Form: Natalie Blais  
**Date:** Thursday, June 27, 2024 3:59:36 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

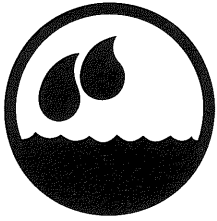
Title: Mrs.  
Name: Natalie Blais  
Email: [jennerblais@gmail.com](mailto:jennerblais@gmail.com)  
Phone: (812) 327-4686  
Address: 2500 S Coalmine Road  
Bloomfield  
IN  
47424

Utilities: Easter Heights Utility Application Filing June 6, 2024

Type of Inquiry: General Inquiry

Comments: I am writing as a homeowner that utilizing Eastern Heights Utility water. I am firmly against them filing an application without a public hearing to increase our rates 59.4% across the board and request that the public have the opportunity to speak out against this. It is my hope that at least 9 other homeowners or businesses within our community reach out to you and request the same. Please accept this as my formal complaint. Thank you for your time.

EXHIBIT 2



# Eastern Heights Utilities, Inc.

316 NORTH WASHINGTON STREET  
P O. BOX 8,  
BLOOMFIELD, IN 47424

June 10, 2024

Dear Water Customer:

Notice is hereby given that on or about June 6, 2024, Eastern Heights Utilities, Inc. filed an Application with the Indiana Utility Regulatory Commission (IURC) to increase the water rates charged to customers of Eastern Heights Utilities, Inc.

This Application was filed pursuant to Ind. Code 8-1-2-61.5 without the necessary cost of an IURC hearing; however, a public hearing before the IURC may be held if any public or municipal corporation, ten (10) individuals, firms, corporations or associations, or ten (10) complainants of all or any of these classes affected by the proposed rate change requests a formal public hearing. A written, signed request for a formal hearing must be submitted to the Secretary of the Commission, Indiana Utility Regulatory Commission, 101 W. Washington Street, Suite 1500 East, Indianapolis, Indiana, 46204 and must be received by the IURC within forty (40) days after the date the Application was filed with the IURC and declared complete. In addition, a public hearing may be held if requested by the Utility Consumer Counselor (OUCC).

The proposed increase in the water rate requested by the application is approximately 59.40% and is proposed to be an "Across-the-Board" increase.

In the absence of a written request as described above, there likely will be no hearing conducted by the IURC on this Application. However, this will not decrease the standard of review by either the OUCC or the IURC. While the small utility filing procedure reduces time and expenses for the filing utility, the utility must still make its case in writing and has the same burden of proof that is required in any IURC rate case. The OUCC will assign a team of legal and technical staff to review the utility's request. Further, utility customers may send comments to the OUCC for inclusion in the formal case record. The OUCC accepts comments through its website at [www.in.gov/OUCC/2361.htm](http://www.in.gov/OUCC/2361.htm) or by e-mail at [uccinfo@OUCC.in.gov](mailto:uccinfo@OUCC.in.gov).

Eastern Heights Utilities, Inc.

Thomas D. McArtor, President

Stephen Joe Pullen, Secretary

4781396.1

6/24/24 I REQUEST A FORMAL HEARING BE HELD.

Wm JY  
WILLIAM J. YOUNG II

7734 PARK NORTH CT  
ENDERS, IN 46260



**EASTERN HEIGHTS UTILITIES, INC.**  
316 NORTH WASHINGTON STREET  
P.O. BOX 8  
BLOOMFIELD, IN 47424

PRESORT STD  
US Postage  
**PAID**  
Permit 101

Terre Haute, IN



005408 \*\*\*\*AUTO\*\*ALL FOR AADC 460 T15 P1 PAL 1  
**BILL YOUNG**  
7734 PARK NORTH CT  
INDIANAPOLIS, IN 46260-5265

STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES )  
THROUGH THE SMALL UTILITY )  
PROCEDURE PURSUANT TO IND. CODE )  
§ 8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )

JUN 24 2024

CAUSE NO. 46084 U

REQUEST FOR PUBLIC HEARING BY INDIVIDUAL

Pursuant to I.C. 8-1-2-61.5 I, Adelia M. Miller (Individual)  
hereby notify the Indiana Utility Regulatory Commission ("IURC") that I am  
formally requesting a public hearing in the above-referenced cause.

Adelia M. Miller  
(name) 1442 E. Main Street  
(address)  
(city, state, zip) Bloomfield IN 47424  
(telephone #)  
(fax #)  
(E-Mail)

6.26.2024  
Date



STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES )  
THROUGH THE SMALL UTILITY )  
PROCEDURE PURSUANT TO IND. CODE )  
§ 8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )

CAUSE NO. 46084 U

REQUEST FOR PUBLIC HEARING BY INDIVIDUAL

Pursuant to I.C. 8-1-2-61.5 I, Leroy Barnhill (Individual)  
hereby notify the Indiana Utility Regulatory Commission ("IURC") that I am  
formally requesting a public hearing in the above-referenced cause.

Leroy V Barnhill  
(name) Leroy Barnhill  
(address) 362 N Corwin Rd  
(city, state, zip) Bloomfield, IN 47424  
(telephone #) 812-384-5103  
(fax #)  
(E-Mail) pammy284@yahoo.com

6/26/24  
Date

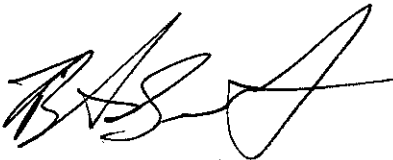
STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES )  
THROUGH THE SMALL UTILITY )  
PROCEDURE PURSUANT TO IND. CODE )  
§ 8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )

CAUSE NO. 46084 U

REQUEST FOR PUBLIC HEARING BY INDIVIDUAL

Pursuant to I.C. 8-1-2-61.5 I, Brent W. Seymour (Individual) hereby notify the Indiana Utility Regulatory Commission ("IURC") that I am formally requesting a public hearing in the above-referenced cause.



6/26/24

(name) Brent W. Seymour  
(address) 832 E. Hollars Rd  
(city, state, zip) Bloomfield, IN 47424  
(telephone #) 812-381-5319  
(fax #) —  
(E-Mail) brent.seymour.95@gmail.com

Date



STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES ) CAUSE NO. 46084 U  
THROUGH THE SMALL UTILITY )  
PROCEDURE PURSUANT TO IND. CODE )  
§ 8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )

REQUEST FOR PUBLIC HEARING BY INDIVIDUAL

Pursuant to I.C. 8-1-2-61.5 I, TIM BARKER (Individual)  
hereby notify the Indiana Utility Regulatory Commission ("IURC") that I am  
formally requesting a public hearing in the above-referenced cause.

Tim E Barker 6/27/24  
(name) Date  
(address) 5513 E Smith Dr  
(city, state, zip) Bloomfield In 47424  
(telephone #) (812) 219-9620  
(fax #)  
(E-Mail) T.m.barker@Co.Greene.in.us  
Tim Barker@Bloomable.net

STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES )  
THROUGH THE SMALL UTILITY )  
PROCEDURE PURSUANT TO IND. CODE )  
§ 8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )

CAUSE NO. 46084 U

REQUEST FOR PUBLIC HEARING BY INDIVIDUAL

Pursuant to I.C. 8-1-2-61.5 I, Teresse Smith (Individual)  
hereby notify the Indiana Utility Regulatory Commission ("IURC") that I am  
formally requesting a public hearing in the above-referenced cause.

Teresse Smith  
\_\_\_\_\_  
(name) Teresse Smith  
(address) 249 S. Franklin St. #5  
(city, state, zip) Bloomfield IN 47424  
(telephone #)  
(fax #)  
(E-Mail)

6-26-24  
\_\_\_\_\_  
Date



STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES ) CAUSE NO. 46084 U  
THROUGH THE SMALL UTILITY )  
PROCEDURE PURSUANT TO IND. CODE )  
§ 8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )

REQUEST FOR PUBLIC HEARING BY INDIVIDUAL

Pursuant to I.C. 8-1-2-61.5 I, DAVID K COLE (Individual)  
hereby notify the Indiana Utility Regulatory Commission ("IURC") that I am  
formally requesting a public hearing in the above-referenced cause.

David K Cole 6/27/2024  
Date  
(name)  
(address) 2956 W WARREN RD  
(city, state, zip) Bloomfield IN 47424  
(telephone #)  
(fax #)  
(E-Mail)



**From:** [Sarah Bock](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Eastern Heights Utilities, INC Application  
**Date:** Tuesday, June 25, 2024 10:28:04 AM

---

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

---

This is to notify the Secretary of the Commission that a hearing needs to be scheduled regarding Eastern Heights Utilities, Inc.'s application to increase water rates by approximately 59.40%.

There are people in Greene County, Indiana who are struggling financially with inflation and this high of a proposed rate increase will put undue stress on families.

Your consideration in this matter is most appreciated.

Thank you,  
Sarah Bock

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Form Submission - OUCC Contact Form: Drew Harkness  
**Date:** Wednesday, June 19, 2024 7:42:25 AM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: Drew Harkness  
Email: [drew.harkness@yahoo.com](mailto:drew.harkness@yahoo.com)  
Phone: (812) 259-9014  
Address:  
Bloomfield  
IN  
47424  
Utilities: Eastern Heights Utilities, INC (water)

Type of Inquiry: Case Comment

Comments: I was made aware via a community Facebook group that eastern heights plans to increase their rates charged to customers by 59.4%. This is an astronomical rate hike and the letter to customers (although I never received one directly from the utility company) offered no explanation for the rate increase. While I can understand operating costs increase every year, I would suggest an incremental rate increase every year of 5-6% so that customers have time to adjust to the new rates. Additionally, customers are owed an explanation as to why the rate is being increased so much and how that will benefit the customer or community. I would like to respectfully request a public hearing is held for this change.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Form Submission - OUCC Contact Form: Jeffrey S. Sargent  
**Date:** Monday, June 24, 2024 9:39:51 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.

Name: Jeffrey S. Sargent

Email: [bhasmedic677@yahoo.com](mailto:bhasmedic677@yahoo.com)

Phone: (812) 384-2157

Address: 355 W. Hollars Rd.

Bloomfield

IN

47424

Utilities: Eastern Heights Utilities

Type of Inquiry: Case Comment

Comments: I am a customer of Eastern Heights Utilities an opposed to the near 60% proposed rate hike. I am requesting a hearing be set, in order for the utility to provide facts and figures to prove the need for the proposed increase, and to provide the customers the information surrounding this proposal.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Form Submission - OUCC Contact Form: Jerome Klopfenstein  
**Date:** Tuesday, June 25, 2024 6:35:03 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.

Name: Jerome Klopfenstein

Email: [black10red9@gmail.com](mailto:black10red9@gmail.com)

Phone: (919) 519-2144

Address: 575 E Antioch Rd

Bloomfield

IN

47424

Utilities: Eastern Heights Utility

Type of Inquiry: Case Comment

Comments: The proposed price hike for our water bills is ridiculous! And they sent it so late that our mailed in responses to contest it will likely not be received in time! Please put a stop to this! Or at least give more people time to respond before allowing it to pass without a hearing!

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Form Submission - OUCC Contact Form: Rosalie Bowman  
**Date:** Tuesday, June 25, 2024 5:07:34 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Ms.  
Name: Rosalie Bowman  
Email: [rosaliebowman09@gmail.com](mailto:rosaliebowman09@gmail.com)  
Phone: (812) 381-3073  
Address: 280 W South st.  
Bloomfield  
IN  
47424  
Utilities: Water bill increase  
Type of Inquiry: General Inquiry  
Comments: I would like to send this in as my part of a request to have a hearing over the price increases.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Form Submission - OUCC Contact Form: Samuel G Leslie  
**Date:** Friday, June 21, 2024 1:45:21 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.

Name: Samuel G Leslie

Email: samgleslie@gmail.com

Phone: (314) 614-1803

Address: 1458South Walnut Grove Rd

Bloomfield

IN

47424

Utilities: Eastern heights

Type of Inquiry: Case Comment

Comments: They are proposing a 59% increase, I would like to know why and ask for a open hearing. That is a large increase with no public information to support it.

**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Form Submission - OUCC Contact Form: Sharon A Johnson  
**Date:** Tuesday, June 25, 2024 4:40:27 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title:

Name: Sharon A Johnson

Email: sharonj57@sbcglobal.net

Phone: (812) 227-1051

Address: 1485 N OLD WORTHINGTON RD

BLOOMFIELD

IN

47424

Utilities: Eastern Heights Utilities

Type of Inquiry: General Inquiry

Comments: Received a letter regarding a 59.4% increase in water rates. Would like to petition for a hearing.



**From:** [noreply@in.accessgov.com](mailto:noreply@in.accessgov.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Form Submission - OUCC Contact Form: William J. Young  
**Date:** Tuesday, June 25, 2024 3:59:00 PM

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

A form has been submitted for: OUCC Contact Form  
Please review the attached PDF for the submission information.

Title: Mr.  
Name: William J. Young  
Email: [wjyoung2@msn.com](mailto:wjyoung2@msn.com)  
Phone: (317) 517-9798  
Address: 7734 Park North Court  
Indianapolis  
IN  
46260  
Utilities: Eastern Heights Utilities  
Type of Inquiry: Case Comment  
Comments: A public hearing should be held for their request for a 59.40% increase of water rates across the board that they are asking for.

**From:** [Shell Needler](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Formal Consumer Commentary and Complaint for Eastern Heights Water  
**Date:** Monday, June 24, 2024 6:31:12 PM  
**Attachments:** [Eastern-Heights-Utilities-INC-Public-Notification.webp](#)

---

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

---

This is a formal notice of consumer complaint and commentary against the proposed notice from Eastern Heights Utilities, Inc. I have attached the notice given to myself and all other consumers by this company in this email. I wish to have this issue taken to public hearing and commentary so that the constituents involved may address formal grievance against this unreasonable rate hike on services. A 59.40% universal rate increase is borderline extortion from a company that has implicit monopoly on this resource utility. It is absolutely unreasonable and should be formally denied by the state commission. There is no reason for near 60% increase in price from a company that has consistently delivered inferior quality product. The water this company provides is undrinkable by all standards and comes out of the tap a filmy white coloration. It is barely suitable for showering and dish washing even. I should not be paying more money for an inferior service, especially one that has no competition in its local market.

Shell Needler  
812-391-2470  
[cynthianbastion@gmail.com](mailto:cynthianbastion@gmail.com)





# *Eastern Heights Utilities, Inc.*

316 NORTH WASHINGTON STREET

P O. BOX 8,

BLOOMFIELD, IN 47424

PHONE (812) 384-8261

June 10, 2024

Dear Water Customer:

Notice is hereby given that on or about June 6, 2024, Eastern Heights Utilities, Inc. filed an Application with the Indiana Utility Regulatory Commission (IURC) to increase the water rates charged to customers of Eastern Heights Utilities, Inc.

This Application was filed pursuant to Ind. Code 8-1-2-61.5 without the necessary cost of an IURC hearing; however, a public hearing before the IURC may be held if any public or municipal corporation, ten (10) individuals, firms, corporations or associations, or ten (10) complainants of all or any of these classes affected by the proposed rate change requests a formal public hearing. A written, signed request for a formal hearing must be submitted to the Secretary of the Commission, Indiana Utility Regulatory Commission, 101 W. Washington Street, Suite 1500 East, Indianapolis, Indiana, 46204 and must be received by the IURC within forty (40) days after the date the Application was filed with the IURC and declared complete. In addition, a public hearing may be held if requested by the Utility Consumer Counselor (OUCC).

The proposed increase in the water rate requested by the application is approximately 59.40% and is proposed to be an "Across-the-Board" increase.

In the absence of a written request as described above, there likely will be no hearing conducted by the IURC on this Application. However, this will not decrease the standard of review by either the OUCC or the IURC. While the small utility filing procedure reduces time and expenses for the filing utility, the utility must still make its case in writing and has the same burden of proof that is required in any IURC rate case. The OUCC will assign a team of legal and technical staff to review the utility's request. Further, utility customers may send comments to the OUCC for inclusion in the formal case record. The OUCC accepts comments through its website at [www.in.gov/OUCC/2361.htm](http://www.in.gov/OUCC/2361.htm) or by e-mail at [uccinfo@OUCC.in.gov](mailto:uccinfo@OUCC.in.gov).

**Eastern Heights Utilities, Inc.**



**From:** [chrismichael313@gmail.com](mailto:chrismichael313@gmail.com)  
**To:** [UCC Consumer Info](#)  
**Subject:** Formal Request for Public Hearing // 46084 U  
**Date:** Wednesday, June 19, 2024 11:10:09 PM  
**Attachments:** [IURC Formal Request For Hearing.pdf](#)

---

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

---

To Whom It May Concern:

Could you please file this pleading with the IURC, requesting a public hearing in the above cause?

V/r,

Chris Michael

P: (812)-699-0470

F: (812)-645-3957

[chrismichael313@gmail.com](mailto:chrismichael313@gmail.com)

STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION

APPLICATION OF EASTERN HEIGHTS )  
UTILITIES, INC. FOR AUTHORITY TO )  
INCREASE RATES AND CHARGES ) CAUSE NO. 46084 U  
THROUGH THE SMALL UTILITY )  
PROCEDURE PURSUANT TO IND. CODE )  
§ 8-1-2-61.5 AND 170 IAC 14-1-1 ET SEQ. )

**REQUEST FOR PUBLIC HEARING BY INDIVIDUAL**

Pursuant to I.C. 8-1-2-61.5 I, Christopher Michael (Individual) hereby notify the Indiana Utility Regulatory Commission (“IURC”) that I am formally requesting a public hearing in the above-referenced cause.



CHRISTOPHER MICHAEL  
1968 N. STATE ROAD 157  
BLOOMFIELD, IN 47424  
Tel: 812/699-0470  
Fax: 812/645-3957  
E-Mail: [chrismichael313@gmail.com](mailto:chrismichael313@gmail.com)

06/19/2024

Date

**From:** [Kyle Chambers](#)  
**To:** [UCC Consumer Info](#)  
**Subject:** Fwd: Rate Increase  
**Date:** Monday, June 24, 2024 1:17:02 PM

---

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

---

Hello,

I am writing on behalf of the citizens of Bloomfield, Indiana to express our profound concern and to formally contest the recent proposal by Eastern Heights utilities Inc. to implement a staggering 60% increase in water usage rates. I urge the Indiana Utility Regulatory Commission to take immediate action by conducting a thorough review and holding a public hearing on this matter, allowing for transparent discourse and community input.

The proposed rate hike presents a severe financial burden on our community, particularly impacting those among us on fixed incomes who already struggle to meet their monthly expenses. Water is a fundamental necessity, not a luxury, and access to affordable water is the right that must be protected.

We understand the need for utilities to operate, sustainability and for occasional adjustments and rates however, an increase of this magnitude appears to be disproportionate and lacks clear justification beyond the notification that residents received. We have not been presented with compelling evidence that such an increase is necessary to cover cost of supplying water or that Eastern Heights Utilities Inc. have explored all possible measures to mitigate the need for such a drastic raise and rates.

Given these considerations, we request the following information and the right to be heard in a public hearing:

1. A comprehensive breakdown of the reasons behind the proposed rate increase.
2. Disclosure of Eastern Heights Utilities, Inc in current financial status and detailed accounts of how the additional revenue from the hike will be used.
3. Consideration of alternative solutions that could maintain or improve service without imposing excessive financial demands on consumers.
4. A public hearing before IURAC at the earliest convenience insuring the voices of Bloomfield's residents are heard and taken into account.

We trust that IURAC will uphold its mandate to ensure that utility rates are fair, just, and reasonable. It is imperative that there is full transparency in this process, and that the economic impact on our community is given due weight in your considerations.

The residents of Bloomfield hold IURAC and Eastern Heights Utilities to be a champion of their interest and a bulwark against unfair practices. We hope to engage in a constructive dialogue through the requested public hearing, Aiming to reach an outcome that balances the needs for Eastern Heights Utilities Inc. with those of the community serves.

Thank you for your prompt attention to this urgent matter. We await your reply and the details of the hearing schedule.

Respectfully,

A concerned Bloomfield, Indiana resident.