

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE JOINT PETITION OF)
DUKE ENERGY INDIANA, LLC AND HEARTLAND)
RURAL ELECTRIC MEMBERSHIP CORPORATION)
PURSUANT TO IND. CODE § 8-1-2.3-6 FOR) CAUSE NO. 44866
APPROVAL OF A CHANGE TO THE SERVICE)
AREA BOUNDARIES WITHIN U.S.G.S. FACET)
MAP R-10 IN WABASH COUNTY, INDIANA)

VERIFIED JOINT PETITION
TO MODIFY SERVICE AREA BOUNDARIES

Duke Energy Indiana, LLC (“Duke Energy Indiana”) and Heartland Rural Electric Membership Corporation (“Heartland REMC”), jointly petition the Indiana Utility Regulatory Commission (“IURC” or “Commission”) to approve their Agreement to modify service area boundaries located on U.S.G.S. Facet Map R-10 in Wabash County, Indiana, and state in support thereof:

1. Joint Petitioner, Duke Energy Indiana, is a limited liability company organized and existing under the laws of the State of Indiana, with its principal place of business located in the Town of Plainfield, Hendricks County, Indiana. It is engaged in the business of distributing, furnishing and selling retail electric service to the public in numerous counties in the State of Indiana, including Wabash County, and has charter authority to do so.

2. Joint Petitioner, Heartland REMC, is a Rural Electric Membership Corporation organized and existing under the laws of the State of Indiana, with its principal place of business located in Markle, Indiana. It is engaged in the business of distributing, furnishing and selling retail electric service to the public in several counties in the State of Indiana, including Wabash County, and has charter authority to do so.

3. Each Joint Petitioner is an “electricity supplier” as such term is defined by Ind. Code § 8-1-2.3-2(b) and the provisions of Ind. Code § 8-1-2.3-1 *et seq.* are deemed applicable to the subject matter of this Joint Petition.

4. Pursuant to the Commission’s August 10, 1983 Final Order (“Final Order”) in Cause No. 36299-S211(X), the Commission established boundary lines between the Joint Petitioners on U.S.G.S. Facet Map R-10 utilizing the modified mid-point between then existing electric distribution lines of the Joint Petitioners.

5. Portions of the boundary lines approved in said Final Order traversed through real estate in U.S.G.S. Facet Map R-10, which real estate was essentially undeveloped at the time of the Final Order. Since that time, the Joint Petitioners have agreed that certain service territory modifications between Duke Energy Indiana and Heartland REMC have become necessary. The Joint Petitioners’ proposed modifications are shown on U.S.G.S. Facet Map R-10 and Facet Exhibit “A” attached hereto.

6. U.S.G.S. Facet Map R-10 identifies the proposed boundary changes as the cross-hatched area. Facet Exhibit “A” is a more detailed map of the property at issue with the proposed boundary changes identified as “Proposed Trade Area to Duke Energy”. This change in service boundaries consists of Heartland REMC losing service territory and Duke Energy Indiana gaining service territory.

7. The proposed modifications as requested herein, will not cause duplication of facilities, cause a waste of materials or resources, or cause uneconomic, inefficient or inadequate electric service to the public, all as required by Ind. Code § 8-1-2.3-6(2).

8. The Commission has jurisdiction of this action pursuant to Ind. Code § 8-1-2.3-6 (2).

9. The names and addresses of Duke Energy Indiana’s attorney in this matter duly authorized to accept service of all pleadings, Orders and other documents is:

Elizabeth A. Herriman
Duke Energy Business Services LLC
1000 East Main Street
Plainfield, Indiana 46168
Telephone: (317) 838-1254
Facsimile: (317) 838-6001
Email: beth.herriman@duke-energy.com

10. Heartland REMC represents itself in this matter and Mr. Jeremy Nix is duly authorized to accept service of all pleadings, Orders, and other documents at the following address:

Jeremy Nix
MATHENY, HAHN, DENMAN & NIX, LLP
45 West Market Street
Huntington, Indiana 46750
Telephone: (260) 356-7030
Facsimile: (260) 356-7033
Email: Jnix@Mhdnlaw.com

11. In accordance with amended Ind. Code § 8-1-2.3-6, Joint Petitioners will publish notice of these changes, in a newspaper of general circulation in Wabash County, Indiana. See Exhibit B for a copy of the Notice.

12. The technical representative for Heartland REMC is Neil Draper, ndraper@heartlandremc.com, (260) 274-0165, and the technical representative for Duke Energy Indiana is Mark Butterfield, mark.butterfield@duke-energy.com, (317) 838-2890.

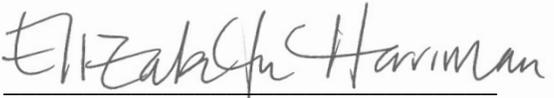
13. The Joint Petitioners agree to work with the Commission staff to update the Commission GIS maps, in accordance with any approval of boundary changes.

14. The requested boundary changes will not cause the service supplier to change for any existing customer.

WHEREFORE, Joint Petitioners, Duke Energy Indiana and Heartland REMC, respectfully request that the Commission, pursuant to Ind. Code § 8-1-2.3-6(2), after twenty (20)

days and if no affected electricity customer requests a hearing, enter an Order in this proceeding, without a hearing, permanently approving the changes to the service area boundaries on U.S.G.S. Facet Map R-10, as identified on Facet Exhibit “A”, as proposed in this Joint Petition.

Respectfully Submitted,

By: 
Elizabeth A. Herriman
Counsel for Duke Energy Indiana, LLC

Elizabeth A. Herriman, Attorney No. 24942-49
DUKE ENERGY BUSINESS SERVICES LLC
1000 East Main Street
Plainfield, Indiana 46168
Telephone: (317) 838-1254
Facsimile: (317) 838-6001
Email: beth.herriman@duke-energy.com

VERIFICATION

I, Rob Pearson, affirm under penalties of perjury, that the foregoing representations contained in this Verified Joint Petition to Modify Service Area Boundaries that pertain to Heartland Rural Electric Membership Corporation are true and correct to the best of my knowledge, information, and belief.

A handwritten signature in black ink, appearing to read 'Rob Pearson', written over a horizontal line.

Rob Pearson
CEO

VERIFICATION

I, Earl Martin Zearbaugh, affirm under penalties of perjury, that the foregoing representations contained in this Verified Joint Petition to Modify Service Area Boundaries that pertain to Duke Energy Indiana, LLC are true and correct to the best of my knowledge, information, and belief.



Earl Martin Zearbaugh
Director Distribution Design Engineering

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Verified Petition was delivered or mailed, postage prepaid, in the United States Mail, this 11th day of October, 2016, to:

Indiana Office of Utility Consumer Counselor
PNC Center
115 W. Washington St., Suite 1500 South
Indianapolis, Indiana 46204

Jeremy Nix
MATHENY, HAHN, DENMAN & NIX, LLP
45 West Market Street
Huntington, Indiana 46750



Attorney for Joint Petitioner
Duke Energy Indiana, LLC

Elizabeth A. Herriman, Attorney No. 24942-49
DUKE ENERGY BUSINESS SERVICES LLC
1000 East Main Street
Plainfield, Indiana 46168
Telephone: (317) 838-1254
Facsimile: (317) 838-6001
Email: beth.herriman@duke-energy.com



Duke Energy

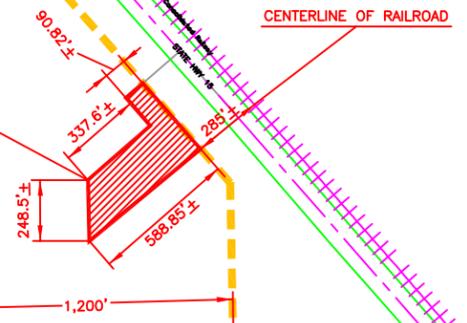
Heartland REMC

Heartland REMC

Duke Energy

Proposed Trade Area to Duke Energy

NOTE: Follow Existing Property Boundary



LEGEND	
	Existing Service Territory Boundary
	Proposed Service Territory Boundary Change
	Proposed Trade Area

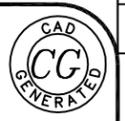


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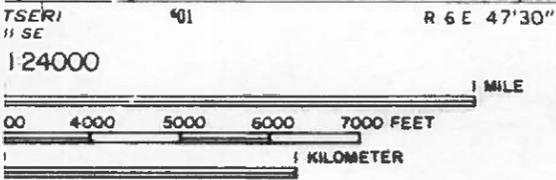
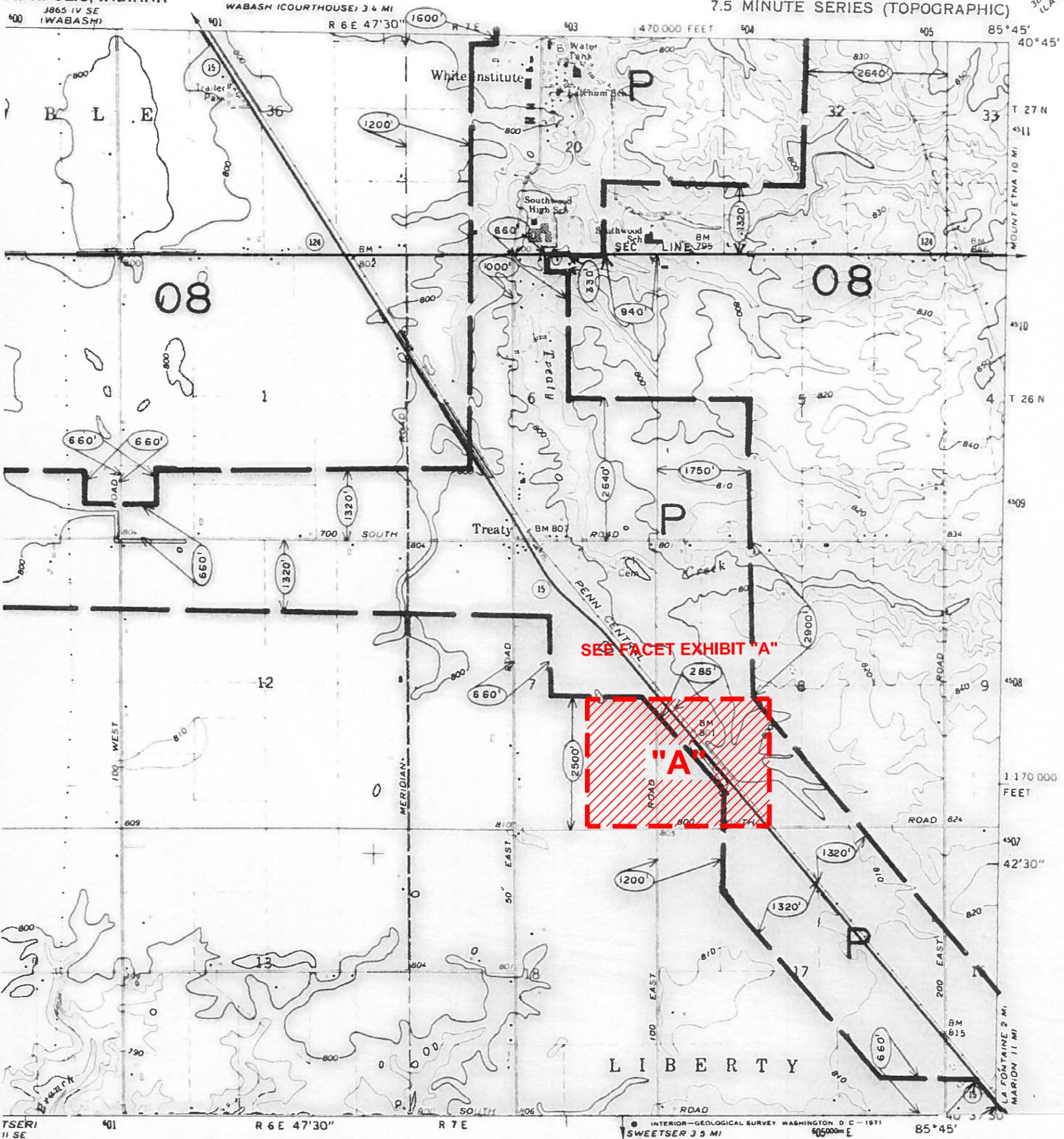


INDEX	EGIS DATA EXTRACTION		
DETAIL	PROPOSED SERVICE TERRITORY BOUNDARY TRADE BETWEEN DUKE ENERGY & HEARTLAND REMC		
LOCATION	WABASH DISTRICT		
APP.	DRAFTSPERSON m.k.butterfield	DATE	8/17/2016
	CK. MKB	SCALE	N.T.S.

STATE OF INDIANA
 DEPARTMENT OF NATURAL RESOURCES
 INDIANAPOLIS, INDIANA

SOMERSET QUADRANGLE
 INDIANA
 7.5 MINUTE SERIES (TOPOGRAPHIC)

3865' SW
 (LAGRO)



APPROVED P.S.C.I. ORDER 36299-S 211(X)

DATE AUGUST 10, 1983

R-10

UTILITY	ELECTRIC UTILITIES SERVING THIS AREA		
M INDIANA & MICHIGAN ELEC. CO.	BY <i>J. Stark</i>	TITLE <i>Sr. V.P.</i>	DATE <i>9/16/83</i>
18 WABASH CO. R. E. M. C.	BY <i>Alvin Long</i>	TITLE <i>Manager</i>	DATE <i>9/12/83</i>
P PUBLIC SERVICE INDIANA	BY <i>Robert Duggan</i>	TITLE <i>Sr. V.P.</i>	DATE <i>5/23/83</i>
	BY _____	TITLE _____	DATE _____
	BY _____	TITLE _____	DATE _____
	BY _____	TITLE _____	DATE _____