

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

**VERIFIED PETITION OF HAMILTON SOUTHEASTERN)
UTILITIES, INC. FOR 1) AUTHORITY TO INCREASE ITS)
SYSTEM DEVELOPMENT CHARGES FOR ITS SERVICE)
TERRITORY TO REFLECT FISHERS' INCREASED)
AVAILABILITY AND TREATMENT CAPACITY)
CHARGES, INCREASES IN COSTS FOR AVAILABILITY)
AND TREATMENT CAPACITY CHARGES ASSOCIATED)
WITH PENDING DEVELOPMENT PROJECTS IN THE)
NOBLESVILLE AND BOONE COUNTY CTAS, AND)
INCREASES IN COSTS TO ADDRESS THE IMPACT OF)
THE TAX CUTS AND JOBS ACT OF 2017; 2) AUTHORITY)
TO MODIFY ITS SYSTEM DEVELOPMENT CHARGE)
FOR THE FLATFORK CREEK CTA TO REMOVE A)
SUPPLEMENTAL FEE THAT IS NO LONGER)
APPLICABLE; AND 3) FOR APPROVAL OF NEW RATE)
SCHEDULES AND A REVISED TARIFF IMPLEMENTING)
THE AUTHORIZED SYSTEM DEVELOPMENT CHARGES)
ON A UNIFORM BASIS FOR ALL CTAS.)**

CAUSE NO. 45134

**INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR ("OUCC") REPLIES TO
PETITIONER'S RESPONSE TO THE OUCC'S MOTION TO STRIKE:**

The Indiana Office of Utility Consumer Counselor ("OUCC") replies to Petitioner's response to the OUCC's motion to strike:

1. The docket entry issued in response to the OUCC's first motion to strike made it clear that HSE's last testimonial filing "shall be limited to responding to the OUCC's sur-rebuttal."
2. OUCC witness Margaret Stull noted in her sur-rebuttal testimony that she continued to recommend HSE not be permitted to collect the SDC in the Boone County service area because HSE had not provided "capital cost estimates for collection system capital costs in the Boone Country service area." (OUCC Sur-rebuttal Testimony, at p. 2) Accordingly, the only proper evidentiary response to the OUCC's sur-rebuttal would be to dispute the factual assertion that

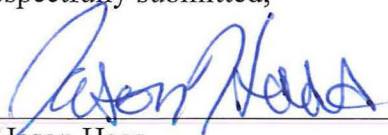
Ms. Stull made that "HSE had not provided "capital cost estimates for collection system capital costs in the Boone Country service area." HSE exceeded this. HSE included new information and analysis not included in its prior evidentiary filings.

3. In context, Ms. Stull's statement referred to HSE's case-in-chief and rebuttal testimony. But to the extent Ms. Stull's may be considered to have also be considered to have referred to discovery responses in her statement, HSE's verified reply to OUCC sur-rebuttal also included information and analysis not included in response to discovery. (The new cost information, to construct a forced main to Citizen Westfield's waste water treatment plant, and for oversizing mains and for lift station construction was introduced in Attachment KWC-R5, and the new analysis of this new information was provided in the Verified Reply Testimony of Otto W. Krohn, see Figures OWK-R3 and R4.)

4. HSE's argument that it was "responding to the OUCC's sur*rebuttal" ignores the fact that new information was provided that impermissibly supplemented HSE's case-in-chief, and the inclusion of such evidence in HSE's reply to the OUCC's sur-rebuttal is prejudicial to the OUCC.

WHEREFORE, the OUCC moves to strike the portions of Petitioner's Verified Reply to OUCC sur-rebuttal identified in its Motion to Strike and such other relief as the Commission deems proper.

Respectfully submitted,

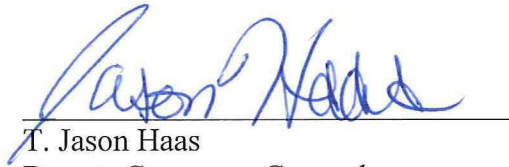


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CERTIFICATE OF SERVICE

This is to certify that a copy of the **Indiana Office of Utility Consumer Counselor (“OUCC”)** replies to Petitioner’s response to the OUCC’s motion to strike has been served upon the following parties of record in the captioned proceeding by electronic service on February 21, 2019.

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