

STATE of INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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**PETITION OF INDIANA-AMERICAN WATER COMPANY,)
INC. FOR (1) AUTHORITY TO INCREASE ITS RATES AND)
CHARGES FOR WATER AND WASTEWATER UTILITY)
SERVICE THROUGH A THREE-STEP RATE)
IMPLEMENTATION, (2) APPROVAL OF NEW SCHEDULES)
OF RATES AND CHARGES APPLICABLE TO WATER AND)
WASTEWATER UTILITY SERVICE, INCLUDING A NEW)
UNIVERSAL AFFORDABILITY RATE, (3) APPROVAL OF)
REVISED DEPRECIATION RATES APPLICABLE TO)
WATER AND WASTEWATER PLANT IN SERVICE, (4)) CAUSE NO. 45870
APPROVAL OF NECESSARY AND APPROPRIATE)
ACCOUNTING RELIEF, (5) APPROVAL OF THE)
EXTENSION OF SERVICE TO AN INFRASTRUCTURE)
DEVELOPMENT ZONE IN MONTGOMERY COUNTY,)
INDIANA AND AUTHORITY TO IMPLEMENT A)
SURCHARGE UNDER IND. CODE § 8-1-2-46.2, AND (6))
APPROVAL OF PETITIONER’S PLANS TO DEVELOP)
FUTURE WATER SOURCES OF SUPPLY UNDER IND.)
CODE § 8-1-2-23.5.)**

You are hereby notified that on this date the Indiana Utility Regulatory Commission (“Commission”) has caused the following entry to be made:

On April 21, 2023, Indiana-American Water Company, Inc. (“Petitioner”) filed a Stipulation as to Procedural Matters (“Stipulation”) setting forth certain procedural matters that had been agreed upon with the Indiana Office of Utility Consumer Counselor (“OUCC”), intervenors Citizens Action Coalition of Indiana, Inc., City of Crown Point, Town of Schererville, and Sullivan Vigo Rural Water Corp., and potential intervenor Indiana-American Water Company, Inc. Industrial Group.

The Presiding Officers, having considered the Stipulation, establish the following procedural schedule and requirements for this Cause:

- 1. Test Year and Accounting Method.** Petitioner is utilizing a forward-looking test period using projected data. The test year for determining Petitioner’s projected operating revenues, expenses, and operating income shall be the 12-month period ending April 30, 2025. The historical base period shall be the 12-month period ending September 30, 2022.

2. **Cutoff date.** The rate base cutoff shall reflect used and useful property at the end of the test year. Based on Petitioner's proposed three-step increase, the associated rate base cutoff date for each step is as follows:

- a. **Step 1** - July 31, 2023, with anticipated order date of January 31, 2024 and revenues and O&M expenses through Dec. 31, 2023
- b. **Step 2** - April 30, 2024 (beginning of forward-looking test year), with revenues and O&M expenses through April 30, 2025
- c. **Step 3** - April 30, 2025 (end of the forward-looking test year), with revenues and O&M expenses through April 30, 2025

3. **Notice to Customers.** Petitioner shall provide evidence of its compliance with 170 IAC 6-1-18(C) and 170 IAC 8.5-2-6(c) to provide notice to its customers within 45 days of filing a petition with the Commission for a change in its base rates which fairly summarizes the nature and extent of the proposed changes.

4. **Field Hearing.** In accordance with Ind. Code § 8-1-2-61(b), a field hearing will be scheduled in the largest municipality within Petitioner's service area at a time, date, and location to be later determined by the Presiding Officers.

5. **OUC's and Intervenors' Prefiling Date.** The OUC and all Intervenors shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before July 12, 2023. Copies of the same shall be served upon all parties of record.

6. **Cross-Answering Testimony.** The OUC and all Intervenors may prefile with the Commission any cross-answering testimony and exhibits responding to the cases-in-chief prefiled by parties other than Petitioner on or before August 8, 2023. Copies of the same shall be served upon all parties of record.

7. **Petitioner's Rebuttal Prefiling Date.** Petitioner shall prefile with the Commission its prepared rebuttal testimony on or before August 8, 2023. Copies of the same shall be served upon all parties of record.

8. **Witness Order.** Each party shall file their intended witness order to the Commission and all parties of record in writing at least 72 hours in advance of the evidentiary hearing.

9. **Objections to Prefiled Testimony and Exhibits.** Parties shall file and serve on all parties of record, any objections to the admissibility of prefiled testimony or exhibits as soon as an objection can be reasonably determined, but no less than ten days prior to the date scheduled for commencement of the hearing at which the testimony or exhibit will be offered into the record.

10. **Evidentiary Hearing on the Parties' Cases-In-Chief.** In the event this Cause is not settled, this matter shall proceed to an evidentiary hearing to commence at 9:30 a.m. on August

31, 2023 in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. The hearing shall continue, as necessary, on September 1, 5, 7, and 8. At such time, the direct evidence of the parties shall be presented and their respective witnesses examined. Thereafter, Petitioner shall present its prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of the OUCC's or Intervenors' witnesses. If the parties reach settlement, the agreement and supporting testimony and exhibits shall be submitted to the Commission at least ten business days prior to the evidentiary hearing.

11. Hearing Exhibits. Paper copies of exhibits to be offered at the evidentiary hearing must be: (a) single-sided; and (b) fastened together with staples, binder clips, or other non-permanent bindings that have no more than three holes along the longest edge. Parties shall process exhibits (1) consisting of excel spreadsheets, (2) are oversized, or (3) are voluminous in nature, through an optical character recognition program and offer the exhibits on a compact disc. Parties shall offer confidential exhibits on green paper in an envelope marked "confidential" or, if offered on a compact disc, the compact disc shall be labeled "confidential."

12. Post-hearing Filings. Petitioner shall file its proposed order on or before September 29, 2023. The OUCC and Intervenors shall file their respective proposed orders and/or any exceptions to Petitioner's proposed order on or before October 20, 2023. Petitioner shall file any reply to the OUCC's and/or Intervenor's proposed orders and/or exceptions on or before October 27, 2023.

13. Sworn Testimony. Any witness testimony to be offered into the record of this proceeding shall be made under oath or affirmation. In accordance with 170 IAC 1-1.1-18(h), if a party offers prefiled testimony of a witness into evidence at the evidentiary hearing, and the witness sponsoring the prefiled testimony is not required to, and does not, attend the evidentiary hearing, the prefiled testimony shall be accompanied by the witness's sworn affidavit or written verification at the time the evidence is offered into the record.

14. Discovery. Discovery is available for all parties and shall be conducted on an informal basis. Any response or objection to a discovery request shall be made within ten calendar days of the receipt of such request. After Petitioner's prefilings of its rebuttal testimony, any response or objection to a discovery request shall be made within five business days of the service of such request. Discovery request served after 5:00 p.m. shall be deemed served the next business day. Until Petitioner prefiles its rebuttal testimony, discovery requests served after 2:00 p.m. on a Friday shall be considered served on the next business day.

15. Prefiling of Workpapers. When a party prefiles technical evidence with the Commission, the party shall also file a copy of the workpapers used to produce that evidence within two business days after prefilings of the technical evidence. Copies of the workpapers shall also be served on all other parties in this Cause. When submitting workpapers to the Commission, two copies of each document shall be filed with the Secretary of the Commission.

16. Number of Copies/Corrections. Filings with the Commission shall comply with General Administrative Order 2016-2. Any corrections to prefiled testimony shall be made in writing as soon as possible after discovery of the need to make such corrections.

17. **Intervenors.** Any party permitted to become an Intervenor in this Cause shall be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 IAC 1-1.1-11.

IT IS SO ORDERED.



James F. Huston, Chairman



Sarah E. Freeman, Commissioner



Loraine L. Seyfried, Chief Administrative Law Judge

Date: May 3, 2023