

**STATE OF INDIANA**

**INDIANA UTILITY REGULATORY COMMISSION**

**PETITION OF CWA AUTHORITY, INC. FOR )  
(1) AUTHORITY TO INCREASE ITS )  
RATES AND CHARGES FOR )  
WASTEWATER UTILITY SERVICE IN )  
THREE PHASES AND APPROVAL OF NEW )  
SCHEDULES OF RATES AND CHARGES )  
APPLICABLE THERETO; (2) APPROVAL OF )  
A LOW-INCOME CUSTOMER ASSISTANCE )  
PROGRAM; AND (3) APPROVAL OF )  
CERTAIN CHANGES TO ITS GENERAL )  
TERMS AND CONDITIONS FOR )  
WASTEWATER SERVICE. )**

**CAUSE NO. 45151**

**REDACTED TESTIMONY**

**OF**

**RICHARD J. COREY – PUBLIC’S EXHIBIT NO. 2**

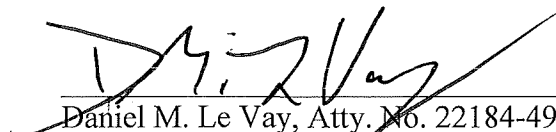
**ON BEHALF**

**OF**

**THE INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR**

**JANUARY 25, 2019**

Respectfully Submitted,

  
\_\_\_\_\_  
Daniel M. Le Vay, Atty. No. 22184-49  
Deputy Consumer Counselor

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing *Office of Utility Consumer Counselor's Redacted Testimony of Richard J. Corey* has been served upon the following counsel of record in the captioned proceeding by electronic service on January 25, 2019.

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**REDACTED TESTIMONY OF OUCC WITNESS RICHARD J. COREY**  
**CAUSE NO. 45151**  
**CWA AUTHORITY, INC.**

**I. INTRODUCTION**

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

2 A: My name is Richard J. Corey, 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 the Indiana Office of Utility Consumer Counselor ("OUCC") as a  
6 Utility Analyst in the Water/Wastewater Division. My qualifications and  
7 experience are described in Appendix A.

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

9 A: The purpose of my testimony is to discuss and present the OUCC's recommended  
10 adjustments for various CWA Authority, Inc. ("CWA" or "Petitioner") operating  
11 and maintenance expenses. More specifically, I discuss the OUCC's  
12 recommended rate case expense and the OUCC's adjustments to remove non-  
13 allowed fines, non-recurring or reimbursable storm sewer repairs, and excessive  
14 employee memberships.

15 **Q: Do you sponsor any attachments?**

16 A: Yes, I sponsor the following attachments:

17 Attachment RJC – 1 - Disallowed Expense – IDEM Fine

18 Attachment RJC – 2 – Disallowed Expense – Reimbursable Storm Sewer Repair

19 Attachment RJC – 3 – Disallowed Expense – Excessive Employee Memberships

1 Attachment RJC – 4 – CONFIDENTIAL - Petitioner's Response to OUCC Data  
2 Request No. 4-4

3 **Q: What actions did you take to prepare your testimony?**

4 A: I reviewed Petitioner's testimony, schedules, and workpapers. I reviewed CWA's  
5 2015, 2016, and 2017 Annual Reports submitted to the Indiana Utility Regulatory  
6 Commission ("Commission" or "IURC"). I reviewed the final order from CWA's  
7 last rate case (Cause No. 44685). I reviewed ratepayer comments submitted to the  
8 OUCC. I prepared discovery questions and reviewed Petitioner's responses.

## II. OPERATING EXPENSE ADJUSTMENTS

### A. Disallowed Expense

9 **Q: Please summarize which test year expenses you recommend disallowance.**

10 A: I recommend disallowance of a fine paid to the Indiana Department of  
11 Environmental Management ("IDEM") during the test year. Additionally, I  
12 recommend removing certain storm water repair expenses that are either  
13 reimbursable from the City of Indianapolis or non-recurring. Finally, I  
14 recommend an adjustment to eliminate excessive employee membership fees to  
15 the National Association of Clean Water Agencies.

#### 1. IDEM Fine

16 **Q: Why do you propose the removal of the fine Petitioner paid to IDEM?**

17 A: During the test year, Petitioner paid a \$7,000 fine to the Indiana Department of  
18 Environmental Management related to a violation of certain emissions standards.<sup>1</sup>  
19 The purpose of a fine is to discourage prohibited behavior and serves no useful

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<sup>1</sup> See Attachment RJC No. 1

1 purpose in providing ratepayer utility service. Fines and penalties a utility pays to  
2 the government for the violation of any regulation or law should not be included  
3 as an operating expense for ratemaking purposes. Accordingly, I recommend  
4 removing this expense. See also OUCC Schedule 6, Adjustment No. 13.

## 2. Storm Water Repairs

5 **Q: Why have you disallowed costs Petitioner incurred to make repairs to the**  
6 **storm water system?**

7 **A:** During its test year, Petitioner incurred \$104,619 of net storm water repair costs.<sup>2</sup>

8 The Indianapolis Department of Public Works ("DPW") owns and is responsible  
9 for the storm water system. Petitioner does not have a responsibility to make  
10 these repairs and should be reimbursed by the DPW. In the alternative, these  
11 expenses should be considered as non-recurring. Accordingly, I recommend  
12 excluding these costs from *pro forma* operating expense. See also OUCC  
13 Schedule 6, Adjustment No. 8.

## 3. Excessive Employee Memberships

14 **Q: Why are you recommending disallowance of two of Petitioner's three**  
15 **membership dues payments to the National Association of Clean Water**  
16 **Agencies?**

17 **A:** During the test year, Petitioner paid for three memberships to the National  
18 Association of Clean Water Agencies in the amounts of \$13,430, \$13,035 and  
19 \$13,035 for a total of \$39,500.<sup>3</sup> Petitioner can glean the benefit of membership to  
20 this association through the purchase of a single membership for the entire utility.

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<sup>2</sup> See Attachment RJC No. 2.

<sup>3</sup> See Attachment RJC No. 3.

1           Therefore I recommend disallowance of \$26,070 of this expense as unnecessary  
2           and excessive (\$13,035 plus \$13,035 equals \$26,070). See also OUCC Schedule  
3           6, Adjustment No. 13.

**B. Rate Case Expense**

4   **Q:    What rate case expense did Petitioner propose in this case?**

5   A:    Petitioner proposed recovery of \$1,208,889 in rate case expense, which included  
6           provisions for cost of service consultant fees, OUCC/IURC Fees, compensation  
7           consultant fees, capital financing plan and water affordability consultant and  
8           outside legal fees. Petitioner proposed to amortize these costs over three years for  
9           a proposed *pro forma* operating expense of \$402,963 per year. Petitioner  
10          deducted test year rate case expense of \$387,465 from this amount to derive an  
11          increase to rate case expense of \$15,498.

12   **Q:    Do you accept Petitioner's proposed rate case expense?**

13   A:    No. While I accept Petitioner's proposed three year amortization period, as  
14          discussed further below, I disagree with several aspects of Petitioner's proposed  
15          rate case expense.

16   **Q:    What concerns do you have regarding Petitioner's rate case expense  
17          adjustment?**

18   A:    I have several concerns regarding Petitioner's proposed rate case expenses. First  
19          and most importantly, Petitioner failed to adequately document and support its  
20          proposed rate case expense. Additionally, I have concerns with the inclusion of  
21          the cost of Petitioner's investor-owned, for-profit compensation study and the  
22          costs for its water affordability consultant being included in rate case expense.

1 Finally, I have concerns with the amount of OUCC costs included in Petitioner's  
2 estimated rate case expense.

1. Cost Support

3 **Q: How has Petitioner failed to support its proposed rate case expense?**

4 A: In OUCC Data Request No. 4-4(a), the OUCC requested Petitioner "provide  
5 support for its rate case expense estimate of \$1,208,889 including all letters of  
6 agreement or contracts for professional services on which rate case expense will  
7 be based."<sup>4</sup> Additionally, in OUCC Data Request No. 4-4(d), the OUCC  
8 requested that Petitioner state how its estimate was determined and include "all  
9 assumptions and inputs used to estimate rate case expense." In its response,  
10 Petitioner provided contracts and letters of engagement that supported only  
11 \$ [REDACTED] of its total estimated expense. The following table summarizes the  
12 information Petitioner provided in its response to OUCC Data Request No. 4-4(a):

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<sup>4</sup> See Attachment RJC No. 4

**Table RJC 1 – Petitioner’s Response to OUCC DR 4-4(a)**

Description	Rate Case	Response DR 4-4 Attachment No. 1	Difference
	Expense Estimate		
COSS Consultant	\$ 308,639	[REDACTED]	
Compensation Consultant	87,966		
Cap Financing Plan & Water Affordability Consul	60,000		
Outside Legal Fees	602,284		
<b>Total Consultant Expense</b>	<b>\$ 1,058,889</b>		

1 **Q: Did Petitioner provide any information related to invoices paid to date for**  
2 **professional services related to rate case expense?**

3 **Q:** Yes. OUCC Data Request No. 4-4(b) requested “all vouchers or invoices for  
4 professional services incurred to date on which rate case expense will be based”.  
5 In response, Petitioner provided copies of 24 invoices from Black and Veach  
6 Management Consulting (Petitioner’s cost of service study consultant) totaling  
7 \$ [REDACTED] and six invoices from Galardi Rothstien Group (Petitioner’s capital  
8 financing plan and water affordability consultant) totaling [REDACTED].

9 **Q: Do the invoices provided by Petitioner in response to OUCC Data Request**  
10 **No. 4-4(b) provide sufficient documentation for Petitioner’s proposed rate**  
11 **case expense?**

12 **A:** No. While Petitioner submitted its response to OUCC Data Request No. 4-4(b)  
13 confidentially and subject to the terms of the Nondisclosure Agreement entered  
14 into between the OUCC and Petitioner in this Cause, the materials were so



1 heavily redacted that they failed to provide substantive evidence that might  
2 support Petitioner's proposed rate case expense. More specifically, all of the  
3 invoices redacted the number of hours and the hourly rate billed. In most  
4 instances, the only information displayed on the invoice was the total invoice  
5 amount. Without the hourly rates and hours billed, I cannot make a determination  
6 regarding the reasonableness of these charges.

7 **Q: Did Petitioner include support for its executive compensation study?**

8 A: Yes. Petitioner included an engagement letter from its compensation consultant,  
9 Willis Towers Watson, for \$ [REDACTED] in its response to OUCC Data request No.4-  
10 4(a).

## 2. Compensation Study Costs

11 **Q: Do you include the amount for the services of Willis Towers Watson in your**  
12 **recommended rate case expense?**

13 A: No. In its final order in Cause No. 44685, the Commission ordered CWA to  
14 provide an updated compensation study of executive salaries that includes only  
15 municipal utilities.<sup>5</sup> However, in this proceeding, CWA provided two  
16 compensation studies, one based on municipal utilities and the other based on  
17 investor-owned, for-profit utilities. Because the Commission ordered Petitioner to  
18 provide a single compensation study based on municipal utilities, Petitioner  
19 should be allowed to recover the cost for that study. However, I do not consider  
20 recovery of the cost for the additional compensation study to be appropriate, as

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<sup>5</sup> *Petition of CWA Authority, Inc. for Authority to Increase its Rates and Charges for Wastewater Service*, Cause No. 44685, Order of the Commission, Ordering Paragraph 5 (IURC July 18, 2016).

1 CWA was not directed to conduct that study. When Petitioner provided the cost  
2 information to conduct the studies from Willis Towers Watson, Petitioner did not  
3 differentiate between the cost of the Commission ordered municipal-only  
4 compensation study and the investor-owned, for profit study. The engagement  
5 letter provided in Petitioner's response to OUCC Data Request No. 4-4(a) does  
6 not explain how the \$ [REDACTED] cost should be allocated between the two studies. I  
7 do not recommend an allocation of the costs between the two studies because any  
8 allocation I propose would be arbitrary and unsubstantiated. Therefore, I  
9 recommend disallowance of all compensation study costs from rate case expense.

### 3. OUCC/IURC Costs

10 **Q: Do you accept Petitioner's proposed \$150,000 allowance for the OUCC/IURC**  
11 **fees portion of rate case expense costs?**

12 **A:** No. In its response to OUCC Data Request No. 4-4, Petitioner indicated that it  
13 used the expense incurred in Cause No. 44685, or \$100,000, as a baseline and  
14 added 50% or \$50,000 as a contingency in case the present case is litigated, for a  
15 total estimate of \$150,000. I believe the additional \$50,000 in fees is arbitrary,  
16 speculative, and unsupported. I recommend the costs charged in Cause No.  
17 44685, \$100,000, be included in rate case expense.

### 4. OUCC Recommendation

18 **Q: What rate case expense do you recommend?**

19 **A:** I recommend total rate case expense of \$ [REDACTED]. Dividing this amount by three  
20 years results in *pro forma* rate case expense of \$ [REDACTED] or a reduction of  
21 \$ [REDACTED] from test year rate case expense of \$387,465. See also OUCC Schedule

1           6, Adjustment 12. The following table summarizes the calculation of my  
2           proposed rate case expense adjustment:

**Table RJC III – OUCC Rate Case Expense Adjustment**

Cost of Service Consultant  
OUCC/IURC Fee  
Compensation Consultant  
Capital Financing Plan/Water Affordability Consultant  
Outside Legal Fees  
  
Rate Case Expense  
Amortize over three years  
  
*Pro-forma* Rate Case Expense  
Less: Test Year Rate Case Expense  
  
Adjustment



**III. RECOMMENDATIONS**

3    **Q: Please summarize your recommendations to the Commission.**  
4    A: I recommend the Commission approve the following *pro forma* test year  
5    operating expense adjustments based on the discussion and analysis included in  
6    my testimony:  
7    1. I recommend the following non-allowed, non-recurring, or excessive  
8    operating expenses be removed from *pro forma* operating expense for the  
9    reasons discussed above:

IDEM Fine	\$ 7,000
Reimbursible Storm Sewer System Repair	104,619
Excessive Membership Dues NACWA	<u>26,070</u>
Total Reduction to O&M Expense	<u>\$ 137,689</u>

1           2. I recommend excluding the costs of the Willis Towers Watson compensation  
2           studies from authorized rate case expense unless Petitioner can provide  
3           information relating to the studies’ cost allocation in this proceeding.

4           3. I recommend *pro forma* rate case expense of \$ [REDACTED] to be amortized over  
5           three years for an annual [REDACTED] reduction to test year rate case expense of  
6           \$387,465.

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

8   **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 majoring  
3       in accounting. Upon graduation, I took a position as an accountant for Tousley-  
4       Bixler Construction Company for whom I worked until 1984. At that time, I  
5       began attending Indiana University School of Law. After graduating from law  
6       school in 1988, I was employed by the public accounting firm of Boyd, Stamper  
7       & Leeds and participated in the preparation of compilations, audits, and corporate  
8       and individual tax returns. From 1990 to 1993, I worked for the CPA firm of  
9       Myers & Stauffer, which specializes in Medicaid accounting, consulting and rate  
10      setting. After a short tenure with the OUCC as a Principal accountant in 1993, I  
11      became Controller, Corporate Secretary, and a member of the Board of Directors  
12      of General Acceptance Corporation. I returned to the OUCC in 1998 as an  
13      Assistant Utility Consumer Counselor and represented the interests of the public  
14      before the Indiana Utility Regulatory Commission ("Commission") in a variety of  
15      Gas, Water and Telecommunications cases. I assumed my current position as a  
16      Utility Analyst with the OUCC in April of 2005. Since joining the OUCC, I have  
17      attended the NARUC Annual Regulatory Studies Program, the NARUC Utility  
18      Rate School, and other continuing educations programs. I became licensed as a  
19      Certified Public Accountant in 1983. Having left the practice of public  
20      accounting in 1993, my license is currently inactive. I am also an inactive  
21      member of the Indiana Bar in good standing.

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

3 A: Yes. I have testified in many cases before the Commission including a number of  
4 applications by municipal, not-for-profit and investor owned water utilities for  
5 financing authority and changes to rates and charges.



**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

Eric J. Holcomb  
Governor

**JUL 21 2017**

Bruno L. Pigott  
Commissioner

**VIA CERTIFIED MAIL** 7016 3010 0001 0287 5238

To: Mr. Jeff Harrison, President  
CWA Authority, Inc.  
2020 N. Meridian St.  
Indianapolis, IN 46202

Re: Commissioner of the Department of  
Environmental Management  
v.  
CWA Authority, Inc.  
Case No. 2016-24229-A

Dear Mr. Harrison:

This is to advise you that the Indiana Department of Environmental Management took the following action.

The Findings of Fact and Order in the above referenced case, which were signed on behalf of the Respondent, were considered. The Findings of Fact and Order have been approved by the Department and the Agreed Order has been executed.

A copy of the approved Order is enclosed. Please note that the civil penalty has been received and deposited in the Environmental Management Special Fund. Thank you for your cooperation.

Sincerely,

Phil Perry, Chief  
Compliance and Enforcement Branch  
Office of Air Quality

Enclosure

cc: Rochelle Marceillars - US EPA Region 5  
Anne McIver - CWA Authority  
Marion County Health Department  
Jorge Cirnigliaro - Compliance and Enforcement Branch, OAQ  
Vaughn Ison - Compliance and Enforcement Branch, OAQ  
<http://www.IN.gov/idem>



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Eric J. Holcomb  
*Governor*

Bruno L. Piggott  
*Commissioner*

STATE OF INDIANA	)	SS: BEFORE THE INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
	)	
COUNTY OF MARION	)	
	)	
COMMISSIONER OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT	)	
	)	
	)	
	)	
	)	Complainant,
	)	
	)	v.
	)	Case No. 2016-24229-A
	)	
CWA AUTHORITY, INC.,	)	
	)	
	)	Respondent.

**AGREED ORDER**

Complainant and Respondent desire to settle and compromise this action without hearing or adjudication of any issue of fact or law, and consent to the entry of the following Findings of Fact and Order. Pursuant to IC 13-30-3-3, entry into the terms of this Agreed Order does not constitute an admission of any violation contained herein. Respondent's entry into this Agreed Order shall not constitute a waiver of any defense, legal or equitable, which Respondent may have in any future administrative or judicial proceeding, except a proceeding to enforce this order.

**I. FINDINGS OF FACT**

1. Complainant is the Commissioner ("Complainant") of the Indiana Department of Environmental Management ("IDEM"), a department of the State of Indiana created by Indiana Code ("IC") 13-13-1-1.
2. Respondent is CWA Authority, Inc. ("Respondent"), which owns and operates the source with Plant ID No. 097-00032, located at 2700 S. Belmont St., in Indianapolis, Marion County, Indiana ("Site").
3. IDEM has jurisdiction over the parties and the subject matter of this action.





CWA Authority, Inc. – Belmont Advanced Wastewater Treatment Plant  
Case No.: 2016-24229-A  
Page 2 of 5

4. Pursuant to IC 13-30-3-3, IDEM issued a Notice of Violation (“NOV”) via Certified Mail to Mr. Jeff Harrison.
5. CWA Authority, Inc. operates a wastewater treatment plant.
6. During an investigation conducted by a representative of IDEM, the following violation was determined:
  - a. Pursuant to Part 70 permit 097-33066-00032 condition D.2.7 and 40 CFR 60.4845 (Subpart LLLL), Respondent shall not allow fugitive emissions to exceed 5% of the hourly observation period for the ash handling system.  
  
Respondent’s fugitive emissions averaged 16.0% during an hourly observation period on March 22, 2016 in violation of Part 70 permit 097-33066-00032 condition D.2.7 and 40 CFR 60.4845 (Subpart LLLL).
7. On April 13<sup>th</sup>, 2017, Respondent submitted updated training materials and upgraded the fugitive emission monitoring plan to minimize fugitive emissions from ash handling.
8. On June 6<sup>th</sup>, 2017, IDEM issued a Notice of Violation to Citizens Energy Group instead of CWA Authority, Inc. at the address listed in Paragraph #2. This Amended NOV supersedes the NOV issued to Citizens Energy Group.
9. In recognition of the settlement reached, Respondent waives any right to administrative and judicial review of this Agreed Order.

## II. ORDER

1. This Agreed Order shall be effective (“Effective Date”) when it is approved by Complainant or Complainant’s delegate, and has been received by Respondent. This Agreed Order shall have no force or effect until the Effective Date.
2. Respondent shall comply with 40 CFR 60, Subpart LLLL.
3. All submittals required by this Agreed Order, unless Respondent is notified otherwise in writing by IDEM, shall be sent to:  
  
Vaughn Ison, Case Manager  
Compliance and Enforcement Branch – Mail Code 61-53  
Indiana Department of Environmental Management  
100 North Senate Avenue  
Indianapolis, IN 46204-2251
4. Respondent is assessed and agrees to pay a civil penalty of Seven Thousand Dollars (\$7000). Said penalty amount shall be due and payable to the

CWA Authority, Inc. – Belmont Advanced Wastewater Treatment Plant  
Case No.: 2016-24229-A  
Page 3 of 5

Environmental Management Special Fund within thirty (30) days of the Effective Date; the 30<sup>th</sup> day being the "Due Date".

5. Civil and stipulated penalties are payable by check to the "Environmental Management Special Fund." Checks shall include the Case Number of this action and shall be mailed to:

IDEM Office of Legal Counsel  
IGCN, Rm N1307  
100 N Senate Ave  
Indianapolis, IN 46204

6. This Agreed Order shall apply to and be binding upon Respondent and its successors and assigns. Respondent's signatories to this Agreed Order certify that he/she is fully authorized to execute this Agreed Order and legally bind the party she/he represents. No change in ownership, corporate, or partnership status of Respondent shall in any way alter its status or responsibilities under this Agreed Order.
7. In the event that the monies due to IDEM pursuant to this Agreed Order are not paid on or before their Due Date, Respondent shall pay interest on the unpaid balance at the rate established by IC 24-4.6-1. The interest shall be computed as having accrued from the Due Date until the date that Respondent pays any unpaid balance. Such interest shall be payable to the Environmental Management Special Fund, and shall be payable to IDEM in the manner specified in Paragraph 5, above.
8. In the event that any terms of this Agreed Order are found to be invalid, the remaining terms shall remain in full force and effect and shall be construed and enforced as if this Agreed Order did not contain the invalid terms.
9. Respondent shall provide a copy of this Agreed Order, if in force, to any subsequent owners or successors before ownership rights are transferred. Respondent shall ensure that all contractors, firms, and other persons performing work under this Agreed Order comply with the terms of this Agreed Order.
10. This Agreed Order is not and shall not be interpreted to be a permit or a modification of an existing permit. This Agreed Order, and IDEM's review or approval of any submittal made by Respondent pursuant to this Agreed Order, shall not in any way relieve Respondent of its obligation to comply with the requirements of its applicable permit or any applicable Federal or State law or regulation.
11. Complainant does not, by its approval of this Agreed Order, warrant or aver in any manner that Respondent's compliance with any aspect of this Agreed Order will result in compliance with the provisions of any permit, order, or any applicable Federal or State law or regulation. Additionally, IDEM or anyone acting

CWA Authority, Inc. – Belmont Advanced Wastewater Treatment Plant  
Case No.: 2016-24229-A  
Page 5 of 5

TECHNICAL RECOMMENDATION:  
Department of Environmental  
Management

By: *Lynne J. Sullivan*  
Lynne J. Sullivan, Chief  
Compliance and Enforcement  
Section 2  
Office of Air Quality

Date: 6/28/17

RESPONDENT:  
CWA Authority, Inc.

By: *Jeffrey A. Willman*

Printed: Jeffrey A. Willman

Title: Vice President Water Operations

Date: 7/10/17

COUNSEL FOR RESPONDENT:

By: *Lauren Toppe*

Date: 7/6/17

APPROVED AND ADOPTED BY THE INDIANA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT THIS:

20 DAY OF July, 20 17

For the Commissioner:

By: *Keith Baugues*  
Keith Baugues, Assistant Commissioner  
Office of Air Quality  
Indiana Department of Environmental  
Management

CWA Authority, Inc. – Belmont Advanced Wastewater Treatment Plant  
Case No.: 2016-24229-A  
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on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of Respondent's efforts to comply with this Agreed Order.

12. Nothing in this Agreed Order shall prevent or limit IDEM's rights to obtain penalties or injunctive relief under any applicable Federal or State law or regulation, except that IDEM may not, and hereby waives its right to, seek additional civil penalties for the same violations specified in the NOV.
13. Nothing in this Agreed Order shall prevent IDEM or anyone acting on its behalf from communicating with the EPA or any other agency or entity about any matters relating to this enforcement action. IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of such communications with the EPA or any other agency or entity.
14. This Agreed Order shall remain in effect until IDEM issues a Resolution of Case letter to Respondent.

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Reimbursable Storm Sewer Repairs

Cons Account	Cons Account Desc	JE Source Na	JE Category Name	Period Name	Net Activity	JE Line Description
408121	Tax Expense - FICA	Spreadsheet	Miscellaneous	NOV-2017	(244.34)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
408121	Tax Expense - FICA	Spreadsheet	Miscellaneous	NOV-2017	(50.84)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
408121	Tax Expense - FICA	Spreadsheet	Miscellaneous	NOV-2017	(1,044.62)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
408121	Tax Expense - FICA	Spreadsheet	Miscellaneous	NOV-2017	(217.07)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
701021	Salary - Collection Exp, Mtce	Spreadsheet	Miscellaneous	NOV-2017	(5,234.20)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
701021	Salary - Collection Exp, Mtce	Spreadsheet	Miscellaneous	NOV-2017	(2,662.95)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
701021	Salary - Collection Exp, Mtce	Spreadsheet	Miscellaneous	NOV-2017	(10,718.87)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
701053	Salary - T&D, Primary, Ops	Spreadsheet	Miscellaneous	NOV-2017	(3,689.02)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
704087	Fringe Benefits Allocations Contra	Spreadsheet	Miscellaneous	NOV-2017	(3,055.75)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
704087	Fringe Benefits Allocations Contra	Spreadsheet	Miscellaneous	NOV-2017	(761.26)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
704087	Fringe Benefits Allocations Contra	Spreadsheet	Miscellaneous	NOV-2017	(6,497.68)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
704087	Fringe Benefits Allocations Contra	Spreadsheet	Miscellaneous	NOV-2017	(1,127.09)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
704087	Fringe Benefits Allocations Contra	Spreadsheet	Miscellaneous	NOV-2017	(420.64)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
736053	OS-Other - T&D, Primary, Ops	Spreadsheet	Miscellaneous	NOV-2017	(79.16)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
736011	OS-Other - Collection Exp, Ops	Spreadsheet	Miscellaneous	MAR-2018	(10,080.12)	\$45,793.01 Pymnt for Stormwater Oct - Dec 2016 Reimb Exp
736011	OS-Other - Collection Exp, Ops	Spreadsheet	Miscellaneous	MAR-2018	(24,500.00)	Reclass Mar2018 BARBER CONSTRUCTION PO# D201932 Inv# CEG2-02 2018 Storm (MS4) Repairs
736011	OS-Other - Collection Exp, Ops	Spreadsheet	Miscellaneous	MAR-2018	(56,531.46)	Reclass Mar2018 H & H CONSTRUCTION SERVICES, INC. PO# D202070 Inv# 18006 2018 MS4 (Storm) Repairs
736011	OS-Other - Collection Exp, Ops	Payables	Purchase Invoices	MAR-2018	24,500.00	2018 Storm (MS4) Repairs
736011	OS-Other - Collection Exp, Ops	Payables	Purchase Invoices	FEB-2018	18,774.68	2018 MS4 (Storm) Repairs
736011	OS-Other - Collection Exp, Ops	Payables	Purchase Invoices	MAR-2018	56,531.46	2018 MS4 (Storm) Repairs
736021	OS-Other - Collection Exp, Mtce	Payables	Purchase Invoices	OCT-2017	(3,613.50)	Emergency Maintenance to storm water system
736011	OS-Other - Collection Exp, Ops	Payables	Purchase Invoices	FEB-2018	99,537.50	2018 Storm Sewer (MS4) Repairs

104,618.56

Membership Dues

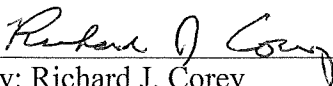
Cons Account	Period Name	Net Activity	JE Line Description	Vendor Name	Account Desc	Expense Type Desc
775081	NOV-2017	13,430.00	FY2018 Membership Dues (10/01/2017 - 09/30/18)	NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES	Misc - Admin & General	Employee Dues & Memberships
775081	NOV-2017	13,035.00	FY2018 Membership Dues (10/01/2017 - 09/30/18)	NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES	Misc - Admin & General	Employee Dues & Memberships
775081	NOV-2017	13,035.00	FY2018 Membership Dues (10/01/2017 - 09/30/18)	NATIONAL ASSOCIATION OF CLEAN WATER AGENCIES	Misc - Admin & General	Employee Dues & Memberships

“Excluded from public access per A.R. 9(G).”

**CONFIDENTIAL**  
**OUCG ATTACHMENT RJC-4**  
**CAUSE NO. 45151**

**AFFIRMATION**

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

  
By: Richard J. Corey  
Cause No. 45151  
Indiana Office of  
Utility Consumer Counselor

1-24-19  
Date: