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APW

**STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION**

**IN THE MATTER OF AN ORDER)
APPROVING UTILITY ARTICLES)
PURSUANT TO 170 IAC 1-6.)**

APPROVED: JUN 29 2016

The Indiana Administrative Code provides for Thirty-Day Administrative Filing Procedures and Guidelines pursuant to the authority of Ind. Code 8-1-1-3 and Ind. Code 8-1-2-42. The thirty-day filing process is available for certain routine and non-controversial requests to facilitate expedited consideration of these matters by the Commission. The rule sets forth the requirements for the thirty-day administrative filings.

The thirty-day filings received pursuant to 170 IAC 1-6 and ripe for Commission action are attached hereto and collectively referred to as the Utility Articles. There are no controversial filings in the Utility Articles approved today.

Pursuant to the rule, the Commission Technical Divisions have submitted their recommendations to the Commission. Therefore, the Commission finds that the requirements of 170 IAC 1-6 have been met and that the Utility Articles attached are hereby approved.

STEPHAN, HUSTON, WEBER, AND ZIEGNER CONCUR:

APPROVED: JUN 29 2016

**I hereby certify that the above is a true
and correct copy of the Order as approved.**

Mary M. Becerra

**Mary M. Becerra
Secretary of the Commission**



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MEMORANDUM

TO: Commission Chair Carol A. Stephan
Commissioners Weber, Ziegner and Huston

FROM: Commission Technical Divisions

DATE: June 24, 2016

RE: 30-Day Utility Articles for Conference on *Wednesday, June 29, 2016 @ 2:00 p.m.*

The following thirty-day filings have been submitted to the Commission. Each item was reviewed by the appropriate Commission Technical Divisions and all regulations were met in accordance with 170 IAC 1-6 Thirty-Day Administrative Filing Procedures and Guidelines. Therefore, the following filings listed below and attached hereto are recommended to be considered by the Commission at the next conference:

Attachment Number	30-Day Filing No.	Name of Utility Company	Type of Request	Date Received
1	3445	Crawfordsville Electric Light & Power	Change in Rates	5/23/2016
2	3446	Knightstown Municipal Electric Utility	To secure authorization for an approval of the change in fuel cost adjustment charges.	5/27/2016
3	3448	Tri-County Conservancy District	Wholesale Water Cost Tracking	5/26/2016
4	3449	Big River Telephone Company, LLC ("Big River")	Access Tariff	5/25/2016
5	3455	Hancock Rural Telephone Corp. d/b/a NineStar Connect	EMERGENCY FILING - Establish a complete baseline intrastate access tariff	6/21/2016
6	3456	Smithville Communications, Inc.	EMERGENCY FILING - Establish a complete baseline intrastate access tariff	6/21/2016

Filing Party: Crawfordsville Electric Light & Power
30-Day Filing ID No.: 3445
Date Filed: May 23, 2016
Date Revised: May 31, 2016
Filed Pursuant To: Cause No. 36835-S3 dated December 13, 1989 and Cause No. 44684 dated April 13, 2016
Request: A revision to rate adjustments for Purchase Power Cost Adjustment Tracking Factors for July, August, and September 2016. New electric rates will become effective August 1, 2016 in accordance with Crawfordsville's recently approved rate case. Because of that, factors are proposed for July under the old rates and different factors are proposed for August and September under the new rates.
Customer Impact: See below.

Proposed July 2016 Factors

Rate Schedule	Metric	Change	Resultant
Residential (RS)	kWh	(0.002146)	0.014911
General Power & Municipal Power Service (GP & MP)	kWh	0.000667	0.015218
Primary Power (PP (kVA))	kVA	0.328392	4.124080
Primary Power (PP (kWh))	kWh	0.000441	0.003721
Outdoor Lighting (OL)	kWh	0.002981	0.012597
Street Lighting (SL)	kWh	0.003474	0.013302
Traffic Signal (TS)	kWh	0.001685	0.014619

Proposed August and September 2016 Factors

Rate Schedule	Metric	Change	Resultant
Residential (RS)	kWh	(0.013957)	0.000954
General Power & Municipal Power Service (GP & MP)	kWh	(0.012529)	0.002689
Primary Power (PP (kVA))	kVA	(2.716414)	1.407666
Primary Power (PP (kWh))	kWh	(0.005129)	(0.001408)
Outdoor Lighting (OL)	kWh	(0.014568)	(0.001971)
Street Lighting (SL)	kWh	(0.015234)	(0.001932)
Traffic Signal (TS)	kWh	(0.014807)	(0.000188)

Tariff Page(s) Affected: Appendix A and B.

Staff Recommendations: Requirements met. Recommend approval.

Submitted By: Jane Steinhauer
Director, Energy Division

Filing Party: Knightstown Municipal Electric Utility
30-Day Filing ID No.: 3446
Date Filed: May 27, 2016
Filed Pursuant To: Commission Order No. 36835-S3
Request: An increase of \$0.000174/kWh to the Purchase Power Cost Adjustment Tracking Factor for July, August, and September 2016.
Customer Impact: See below.

<i>Rate Schedule</i>	<i>Change (\$/kWh)</i>	<i>Resultant (\$/kWh)</i>
ALL	0.000174	0.011466

Tariff Page(s) Affected: Appendix A
Staff Recommendations: Requirements met. Recommend approval.

Submitted By: Curt Gassert
Director, Water/Sewer Division

Filing Party: Tri-County Conservancy District
30-Day Filing ID No.: 3448
Date Filed: 5/26/2016
Filed Pursuant To: 170 IAC 1-6 and 6-5
Request: The utility is proposing to increase its Wholesale Cost Water Tracker rates due to an increase in wholesale price.
Customer Impact: See Below.

<i>Tri-County Conservancy District</i>	<i>Current</i>	<i>Proposed</i>
Cost per 1,000 gallons	\$1.54	\$2.19

Tariff Pages Affected: Appendix A
Staff Recommendations: Requirements met. Recommend approval.

Submitted By: Pamela D. Taber
Director, Communications Division

Filing Party: Big River Telephone Company, LLC (“Big River”)
30-Day Filing ID No.: 3449
Date Filed: May 25, 2016.
Filed Pursuant To: IC 8-1-2-88.6; 170 IAC 1-6; and IURC Cause No. 44004.

Request: Big River submitted revisions to its intrastate (IURC) access tariff (“Access Services Tariff” - Indiana Tariff No. 2). These revisions include a reduction to the Company’s Terminating per Access Minute rate for Local Switching. Big River notes that this is a “stand-alone intrastate access tariff” that is “separate from any interstate tariff we may have on file with the FCC”. However, the Company “also states that this tariff complies with the FCC’s USF/ICC Transformation Order (*Connect America Fund et al.*, WC Docket No. 10-90 et al., *Report and Order and Further Notice of Proposed Rulemaking* (FCC 11-161, rel. Nov. 18, 2011) [*USF/ICC Transformation Order*]) and other applicable laws.”

Retail Customer Impact: N/A

Tariff Page(s) Affected: Indiana Tariff No. 2 (Pages 3 and 40).

Staff Recommendations: Requirements in 170 IAC 1-6 and IURC Cause No. 44004 were met; Staff recommends approval.

Submitted By: Pamela D. Taber
Director, Communications Division

Filing Party: Hancock Rural Telephone Corporation d/b/a NineStar Connect (“NineStar”)

30-Day Filing ID No.: 3455

Date Filed: June 21, 2016

Filed Pursuant To: IC 8-1-2-88.6; 170 IAC 1-6; IURC Cause No. 44004; and the FCC’s *USF/ICC Transformation Order*.¹

Request: The purpose of this filing is to establish a complete baseline intrastate access tariff. Effective July 1, 2016, Hancock Rural Telephone Corporation d/b/a NineStar Connect (“NineStar”) intends to concur in the John Staurulakis, Inc. (JSI) Interstate Access Tariff F.C.C. No. 1 with [intrastate] exceptions. Effective with the approval of the new Intrastate Access Tariff I.U.R.C. No. 2, the Company will no longer concur in the West Point Telephone Company’s Intrastate Access Tariff I.U.R.C. No. 1

NineStar requested an approval date of July 1, 2016. In that regard, and as part of its tariff filing, NineStar requested “that the Commission, as allowed under Indiana Code 8-1-2-113, issue an emergency order to temporarily approve the NineStar intrastate access tariff in less than 30 days, pending final approval by the Commission after at least 30 days have passed from the June 21 filing date.”

NineStar explained that it was not possible to meet the 30-day review requirement. JSI had to compile interstate rate information for several other companies, and information could not be obtained for NineStar’s Indiana (IURC) filing prior to June 16, the date on which JSI filed its interstate tariff with the FCC.

Retail Customer Impact: N/A

Tariff Page(s) Affected: Tariff I.U.R.C. No. 2 – Original Page 1 through Original Page 9; Original Pages CS 1 through CS 24

Staff Recommendations: Pursuant to FCC requirements, NineStar’s tariffed intrastate (IURC) terminating switched end office and reciprocal compensation rates must take effect the same day as their interstate (FCC) counterparts.² The JSI tariff is expected to become effective July 1.

Given the June 21 filing date, NineStar’s July 1 requested effective date creates a conflict with IC 8-1-2-42(a), which precludes approval of rates and charges for a public utility, without 30 days’ prior notice, unless the Commission “approves an order prescribing a different time frame.” The earliest approval date for this filing would be July 21, in the absence of such an order.

Under IC 8-1-2-113(a), if the Commission “judges” that an emergency exists, and that it is “necessary to prevent injury to the business or interests of ... any public utility” in the state, it may temporarily alter or amend (or, suspend, with the consent of the utility) any public utility’s rates.

Requirements in 170 IAC 1-6, IURC Cause No. 44004, and IC 8-1-2-113 were met. Staff recommends that the Commission do the following, pursuant to IC 8-1-2-113: (1) judge that an emergency exists; and (2) grant Hancock Rural Telephone Corporation d/b/a NineStar Connect’s request for emergency approval of the new intrastate access rates and charges for Hancock on a temporary basis. Staff will resubmit the June 21 filing at a later date, for a final vote to occur after July 21, 2016.

¹ *Connect America Fund et al.*, WC Docket No. 10-90 et al., *Report and Order and Further Notice of Proposed Rulemaking* (FCC 11-161, rel. Nov. 18, 2011) [hereinafter *USF/ICC Transformation Order*].

² 47 CFR 51.909(e). See, also, *USF/ICC Transformation Order*, at para. 801 & Figure 9.

Submitted By: Pamela D. Taber

Director, Communications Division

Filing Party: Smithville Communications, Inc. (“Smithville”)

30-Day Filing ID No.: 3456

Date Filed: June 21, 2016

Filed Pursuant To: IC 8-1-2-88.6; 170 IAC 1-6; IURC Cause No. 44004; and the FCC’s *USF/ICC Transformation Order*.¹

Request: The purpose of this filing is to establish a complete baseline Intrastate Access Tariff² and to “request that the Indiana Utility Regulatory Commission (IURC) issue an Emergency Order to temporarily approve Smithville Communications, Inc.’s new intrastate access tariff, which is designated as Smithville’s Tariff I.U.R.C. No. 3, in less than the required 30 days, pending final approval under the IURC’s regular 30-day filing rules.”

In support of this request, Smithville correctly notes that, “The FCC has preempted state commissions in certain respects pertaining to filing and approval of intrastate access rates and tariffs, including, but not limited to, mandating that certain intrastate (IURC) access rates and charges take [effect] at the same time as the corresponding interstate (FCC) access rates and charges. Accordingly, given the mandatory effective date of July 1, 2016, and the FCC required filing date [for the interstate tariff] of June 24, 2016, it was not possible to meet the IURC’s requirement to allow a minimum of 30 days to review the new intrastate access tariff filing.” Smithville’s Tariff I.U.R.C. No. 3 will mirror its interstate access tariff, but with certain intrastate exceptions. Alexicon (Smithville’s federal tariff consultant) had to compile interstate rate information and prepare interstate tariffs for several dozen clients, and information could not be obtained for Smithville’s (IURC) filing prior to June 21, just a few days prior to the filing date for Smithville’s Interstate Access Tariff under the FCC’s 7-day tariff filing process.”

Retail Customer Impact: N/A

Tariff Page(s) Affected: Tariff I.U.R.C. No. 3 – Original Pages 1 – 3.

Staff Recommendations: Pursuant to FCC requirements, Smithville’s tariffed intrastate (IURC) terminating switched end office and reciprocal compensation rates must take effect the same day as their interstate (FCC) counterparts.² The Smithville interstate tariff is expected to become effective July 1.

Given the June 21 filing date, Smithville’s July 1 requested effective date creates a conflict with IC 8-1-2-42(a), which precludes approval of rates and charges for a public utility, without 30 days’ prior notice, unless the Commission “approves an order prescribing a different time frame.” The earliest approval date for this filing would be July 21, in the absence of such an order.

Under IC 8-1-2-113(a), if the Commission “judges” that an emergency exists, and that it is “necessary to prevent injury to the business or interests of ... any public utility” in the state, it may temporarily alter or amend (or, suspend, with the consent of the utility) any public utility’s rates.

Requirements in 170 IAC 1-6, IURC Cause No. 44004, and IC 8-1-2-113 were met. Staff recommends that the Commission do the following, pursuant to IC 8-1-2-113: (1) judge that an emergency exists; and (2) grant Smithville Communications, Inc.’s request for emergency approval of the new intrastate access rates and charges on a temporary basis. Staff will resubmit the June 21 filing at a later date, for a final vote to occur on or after July 21, 2016.

¹ *Connect America Fund et al.*, WC Docket No. 10-90 et al., *Report and Order and Further Notice of Proposed Rulemaking* (FCC 11-161, rel. Nov. 18, 2011) [hereinafter *USF/ICC Transformation Order*].

² 47 CFR 51.909(e). See, also, *USF/ICC Transformation Order*, at para. 801 & Figure 9.