

ORIGINAL

Commissioner	Yes	No	Not Participating
Huston	√		
Freeman	√		
Krevda			√
Ober	√		
Ziegner			√

**GENERAL ADMINISTRATIVE ORDER
OF THE INDIANA UTILITY REGULATORY COMMISSION
2021-01**


WHEREAS, House Enrolled Act 1437 (“HEA 1437”) was enacted by the Indiana General Assembly and signed by Governor Holcomb on April 20, 2021, and added Indiana Code § 5-14-1.5-3.7, regarding meeting via electronic communication during a declared disaster emergency; and

WHEREAS, Indiana Code § 5-14-1.5-3.6 allows members of the governing body of a public agency of the state to participate via electronic communication in meetings of a majority of those members, as long as the public agency has adopted a policy governing participation via electronic communication by the governing body prior to conducting meetings using electronic communication; and


WHEREAS, the Indiana Utility Regulatory Commission (“IURC” or “Commission”) adopted a policy governing participation by Commissioners via electronic communication in IURC GAO 2020-03 for the public meeting at which it issues its orders, known as “Conference,” which qualifies as a meeting of the governing body of a public agency; and

WHEREAS, the Commission desires to expand the participation by its Commissioners via electronic communication to all publicly noticed meetings of a majority (i.e., three or more) of the Commissioners;

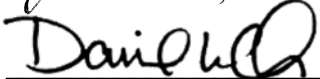
NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Policy Governing Commissioner Participation Via Electronic Communication, which is attached to the General Administrative Order as Appendix A, is adopted by this Commission and supersedes IURC GAO 2020-03.



James F. Huston, Chairman



Sarah E. Freeman, Commissioner



David L. Ober, Commissioner

Absent

Stefanie N. Krevda, Commissioner

Absent

David E. Ziegner, Commissioner

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

Date: JUN 02 2021

Dana Kosco, Secretary of the Commission

APPENDIX A

POLICY GOVERNING COMMISSIONER PARTICIPATION VIA ELECTRONIC COMMUNICATION

Commissioners of the Indiana Utility Regulatory Commission (“Commission”) are allowed under this Policy to participate via electronic communication in any publicly noticed meeting of a majority of the Commissioners as long as the following conditions are met:

A. During a disaster emergency declared by the Governor of the State of Indiana or by the Mayor of the City of Indianapolis, the Commission may meet via any means of electronic communication, if the following are satisfied:

1. At least three or more Commissioners (i.e., a quorum) participate in the meeting via electronic communication or in person.
2. The public is able to simultaneously attend and observe the public meeting. Nothing in this section affects the Commission’s right to exclude the public from an executive session in which a member participates by electronic communication.
3. All votes are taken by roll call vote.
4. A meeting memoranda is made with the name of each Commissioner who:
 - a. was absent; or
 - b. who participated via electronic communication with the means of electronic communication also identified.

B. Normal Operations (no emergency declared as in A. above):

1. Commissioners may participate via electronic communication in a publicly noticed meeting of the majority of the Commissioners, after making a request for such participation (such as via email) to the Commission’s Chairman and Chief of Staff,

copying the Secretary of the Commission, no later than noon on the workday prior to the publicly noticed meeting.

2. At least two Commissioners must be physically present at the meeting.
3. The form of electronic communication must allow simultaneous communication among all Commissioners participating in the meeting and all members of the public physically present at the place where the meeting is conducted.
4. A Commissioner participating via electronic communication is considered present for the meeting, shall be counted for purposes of establishing a quorum, and may vote at the meeting.
5. If one or more Commissioners are participating via electronic communication, all votes at the meeting must be taken by roll call vote.
6. If more than three Commissioners submit requests for the same meeting, priority will be based on the date and time that the requests are submitted.