



INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR

INDIANA
STATE ETHICS COMMISSION

MAY 5 2016

FILED

April 28, 2016

Indiana State Ethics Commission
315 W. Ohio St. Room 104
Indianapolis, IN 46202

Re: Waiver of Gift Rule

This letter is being sent as notification that employees of the Indiana Office of Utility Consumer Counselor (OUCC) accepted lunch on April 26 (pizza) from Duke Energy Indiana (DEI) and on April 28, 2016 (tacos) from Vectren while attending meetings on behalf of the OUCC on official state business. Lunch was provided during the meetings to accommodate the schedules of the attendees who have traveled to Indianapolis. The OUCC employees in attendance were Edward Rutter (April 26 only), Jeffrey Reed (April 26 only), and April Paronish (April 26 and 28).

I have reviewed the waiver of gifts issue in light of the state ethics "gift rule" at 42 IAC 1-5-1(a) that provides in pertinent part: "A state employee shall not knowingly solicit, accept or receive any food [or] drink from a person who has a business relationship with the employee's agency or is seeking to influence an action by the employee in his or her official capacity."

The OUCC currently deals with DEI and Vectren in regulatory cases, where the OUCC is charged with representing the public interest. The purpose of the meetings was to brief the OUCC on the 2016 Demand Side Management savings and expenditures and to discuss evaluation, measurement & verification issues. Based on the above, I agree the meal accepted facilitated progress and productivity on behalf of the State, and therefore the public interest was served. It is therefore appropriate that any applicability of the gift rule be waived in this specific situation. As Ethics Officer for the OUCC, I am filing this waiver with the State Ethics Commission within thirty (30) days of acceptance of the meal as required by 42 IAC 1-5-1(d).

Sincerely,


Abby R. Gray
OUCC Ethics Officer