

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION OF )  
 THE CITY OF ANDERSON, INDIANA, BY ) CAUSE NO. 43411  
 ITS MUNICIPAL ELECTRIC UTILITY, )  
 ANDERSON MUNICIPAL LIGHT & ) ORDER ON MOTION FOR  
 POWER, FOR (1) AUTHORITY TO INCUR ) EXTENSION  
 INDEBTEDNESS; AND (2) APPROVAL OF A )  
 NEW SCHEDULE OF RATES AND ) APPROVED: JUN 29 2011  
 CHARGES FOR ELECTRIC SERVICE )

BY THE COMMISSION:

David E. Ziegner, Commissioner  
Loraine L. Seyfried, Administrative Law Judge

On December 21, 2007, the City of Anderson, Indiana, by its municipal electric utility, Anderson Municipal Light & Power ("Petitioner") filed its petition with the Indiana Utility Regulatory Commission ("Commission") in this matter. The Commission issued an Order on August 20, 2008 approving, with some modifications, a Stipulation and Settlement Agreement ("Agreement") between Petitioner and the Indiana Office of Utility Consumer Counselor ("OUCC"). One of the provisions approved by the Commission (at p. 9) provided,

As a means of addressing certain issues raised by the [OUCC] in its case-in-chief, the Parties agree that Petitioner will file a Petition initiating a new base rate case no later than June 1, 2011. The test year to be used will be the twelve month period ending December 31, 2010. Should the Parties reach mutual agreement to extend the deadline for filing of the next rate case, they will inform the Commission of the decision to extend the filing date and basis thereof prior to June 1, 2011.

Paragraph 6 of the Agreement.

On June 1, 2011, Petitioner and the OUCC filed a Joint Motion to Extend Deadline for Filing a New Base Rate Case or Notice Indicating Postponement of Filing Date for a New Rate Case ("Joint Motion"). Petitioner and the OUCC indicate that additional time is necessary to determine whether a mutual agreement can be reached concerning a date by which Petitioner will file a new base rate case. An extension is requested to July 1, 2011 for Petitioner to file a rate case or the parties to reach agreement regarding a postponement of the filing date.

As Petitioner neither filed a new base rate case on June 1, 2011, nor made the informational filing required by the Agreement prior to June 1, 2011, the Joint Motion seeks to modify the Commission's August 20, 2008 Order. Therefore, in accordance with Ind. Code § 8-1-2-72,

Petitioner shall file by July 1, 2011 for Commission approval either: (1) a new base rate case under a separate cause, or (2) an agreement with the OUCC concerning a new deadline for Petitioner's filing of its next rate case and evidence in support thereof in the above-captioned cause.

**IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:**

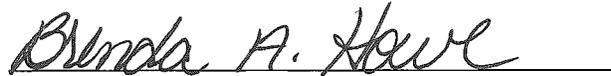
1. Petitioner shall file by July 1, 2011 for Commission approval a new base rate case or an agreement, with testimony in support thereof, concerning a new date for Petitioner's filing of a base rate case.

2. This Order shall be effective on and after the date of its approval.

**ATTERHOLT, BENNETT, MAYS AND ZIEGNER CONCUR; LANDIS ABSENT:**

**APPROVED: JUN 29 2011**

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



**Brenda A. Howe**

**Secretary to the Commission**