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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF THE CITY OF PRINCETON,) CAUSE NO. 43652
INDIANA, FOR AUTHORITY TO ISSUE) PREHEARING
BONDS AND FOR APPROVAL OF A NEW) CONFERENCE ORDER
SCHEDULE OF RATES AND CHARGES) APPROVED:
APR 22 2009

BY THE COMMISSION:

Jeffrey L. Golc, Commissioner

Lorraine Hitz-Bradley, Administrative Law Judge

On March 6, 2009, The City of Princeton, Indiana ("Petitioner") filed its petition with the Indiana Utility Regulatory Commission ("Commission") in this matter.

Pursuant to notice and as provided for in 170 I.A.C. 1-1.1-15, a Prehearing Conference in this Cause was held in the Indiana Utility Regulatory Commission Conference Center, Suite 220, Judicial Courtroom 222 at the National City Center, 101 West Washington Street, Indianapolis, Indiana at 9:30 a.m. on April 13, 2009. Proofs of publication of the notice of the Prehearing Conference have been incorporated into the record and placed in the official files of the Commission. The Petitioner and the Indiana Office of Utility Consumer Counselor ("Public" or "OUCC") appeared and participated at the Prehearing Conference. No members of the general public appeared.

Prior to the opening of the record and with the consent of all parties in attendance, an informal discussion was held regarding procedural and scheduling matters in this Cause. The agreement of the parties was then read into the record.

Based upon the agreement of the parties, the Commission now enters the following Findings and Order which should become a part of the record in this proceeding:

1. **Test Year and Accounting Method.** The test year for determining Petitioner's actual and pro forma operating revenues, expenses and operating income under present and proposed rates should be the twelve (12) months ending December 31, 2008 adjusted for changes that are fixed, known and measurable for ratemaking purposes and that occur within twelve (12) months following the end of the test year.

2. **Cutoff Date.** The rate base cutoff should reflect used and useful property at the end of the test year.

3. **Notice to Customers.** Petitioner shall provide evidence of its compliance with 170 I.A.C. 6-1-18(C) to provide notice to its customers within forty-five (45) days of filing a petition with the Commission for a change in its base rates which fairly summarizes the nature and extent of the proposed changes.

4. **Petitioner's Prefiling Date.** The Petitioner should prefile with the Commission its prepared testimony and exhibits constituting its case-in-chief on or before May 15, 2009. Copies of same should be served upon all parties of record.

5. **Public's and Intervenors' Prefiling Date.** Public and all Intervenors should prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before August 14, 2009. Copies of same should be served upon all parties of record.

6. **Petitioner's Rebuttal Prefiling.** The Petitioner should prefile with the Commission its prepared rebuttal testimony on or before September 4, 2009. Copies of same should be served upon all parties of record.

7. **Evidentiary Hearing on the Parties' Cases-In-Chief.** In the event this Cause is not settled, the cases-in-chief of the Petitioner, Public and any Intervenors should be presented in an evidentiary hearing to commence at 10:00 a.m. on September 22, 2009 in Indiana Utility Regulatory Commission Conference Center, Suite 220, Judicial Courtroom 222 at the National City Center, 101 West Washington Street, Indianapolis, Indiana. At such time, the direct evidence of the respective parties should be presented and their respective witnesses examined. Thereafter, Petitioner should present its prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of Public's or Intervenors' witnesses. If the parties reach settlement, the agreement should be submitted to the Commission five (5) business days prior to the Evidentiary Hearing.

8. **Sworn Testimony.** Any witness testimony to be offered into the record of this proceeding shall be made under oath or affirmation. In accordance with 170 I.A.C. 1-1.1-18(h), if the prefiled testimony of a witness is to be offered into evidence at the Evidentiary Hearing, and the witness sponsoring the prefiled testimony is not required to, and does not, attend the Evidentiary Hearing, the prefiled testimony shall be accompanied by the witness's sworn affidavit or written verification at the time the evidence is offered into the record.

9. **Discovery.** Discovery is available for all parties and should be conducted on an informal basis. Any response or objection to a discovery request should be made within ten (10) calendar days of the receipt of such request. After September 4, 2009, discovery shall be responded to within five (5) calendar days. Any discovery served after 12:00 p.m. on Friday shall be deemed to have been served on the following Monday or business day.

10. **Prefiling of Workpapers.** When prefiling technical evidence with the Commission, each party should file copies of the work papers used to produce that evidence within two (2) business days after the prefiling of such technical evidence. Copies of same should also be served on the other parties to this Cause. When submitting workpapers to the Commission, two (2) copies of each document should be filed with the Secretary of the Commission.

11. **Number of Copies/Corrections.** With the exception of work papers, the parties shall file with the Commission an original and five (5) copies of all prefiled testimony and exhibits. Any corrections to prefiled testimony shall be made in writing as soon as possible after discovery of the need to make such corrections. Although the Commission's rules require that original copies be one-sided, it is the Commission's preference that duplicate copies use both sides of the paper.

Parties may also elect to file documents with the Commission using the Commission's Electronic Filing System in lieu of filing paper documents. Pursuant to the terms and conditions of the Electronic Filing System, documents filed electronically are deemed filed the date they are submitted, subject to verification and acceptance by the Commission, and will receive an electronic file stamp. For filings greater than thirty (30) pages in length, a party shall file with the Commission an original and one (1) paper copy within two (2) business days of the electronic filing. When supplying such copies, the party must provide a copy of the email reflecting the electronic filing was accepted by the Commission.

12. **Intervenors.** Any party permitted to become an Intervenor in this Cause should be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 I.A.C. 1-1.1-11.

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

1. The determinations of the Prehearing Conference set forth in this Order are made a part of the record in this Cause and shall be binding on all present and future parties of record during the proceedings of this Cause.

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

GOLC, SERVER, AND ZIEGNER CONCUR; HARDY AND LANDIS ABSENT:
APPROVED: APR 22 2009

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


Brenda A. Howe
Secretary to the Commission