

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE)
COMMISSION'S INVESTIGATION INTO)
THE COMPLIANCE OF ROACHDALE)
MUNICIPAL GAS UTILITY WITH)
PIPELINE SAFETY STANDARDS AND)
MATTERS RELATING TO THE SAFETY)
OF ITS GAS DISTRIBUTION SYSTEM)
PURSUANT TO INDIANA CODE)
CHAPTER 8-1-22.5)

CAUSE NO. 44014

PREHEARING CONFERENCE ORDER

APPROVED:

BY THE COMMISSION:

Kari A.E. Bennett, Commissioner
Loraine L. Seyfried, Chief Administrative Law Judge

On April 5, 2011, the Indiana Utility Regulatory Commission ("Commission") commenced this investigation into the compliance of Roachdale Municipal Gas Utility ("Roachdale") upon the request of the Pipeline Safety Division ("Pipeline Safety").

Pursuant to notice and as provided for in Ind. Code § 8-1-22.5-10 and 170 IAC 1-1.1-15, a Prehearing Conference in this Cause was held at 2:00 p.m. on April 25, 2011, in Room 224 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. 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. Counsel for Pipeline Safety, Roachdale and the Indiana Office of Utility Consumer Counselor ("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 shall become a part of the record in this proceeding:

1. Pipeline Safety's Prefiling Date. Pipeline Safety shall prefile with the Commission its prepared testimony and exhibits constituting its case-in-chief on or before July 1, 2011. Copies of same shall be served upon all parties of record.

2. Roachdale's Prefiling Date. Roachdale shall prefile with the Commission its prepared testimony and exhibits constituting its response and case-in-chief on or before August 15, 2011. Copies of same shall be served upon all parties of record.

3. **OUCC's and any Intervenor's Prefiling Date.** The OUCC and any Intervenor shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before September 15, 2011. Copies of same shall be served upon all parties of record.

4. **Pipeline Safety's Reply Prefiling Date.** Pipeline Safety shall prefile with the Commission its reply testimony and exhibits on or before October 14, 2011. Copies of same shall be served upon all parties of record.

5. **Evidentiary Hearing.** An evidentiary hearing is scheduled to commence at 9:30 a.m. on October 24, 2011 in Room 224 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. If the parties reach settlement, the agreement and supporting testimony and exhibits shall be submitted to the Commission at least five (5) business days prior to the Evidentiary Hearing.

6. **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 IAC 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.

7. **Discovery.** Discovery is available for all parties and shall be conducted on an informal basis. Any response or objection to a discovery request shall be made within ten (10) calendar days of the receipt of such request.

8. **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.

9. **Objections to Prefiled Testimony and Exhibits.** Any objections to the admissibility of prefiled testimony or exhibits shall be filed with the Commission and served on all parties of record no less than two (2) business days prior to the date scheduled for commencement of the hearing at which the testimony or exhibit will be offered into the record.

10. Intervenors. Any party permitted to become an Intervenor in this Cause shall be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 IAC 1-1.1-11.

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

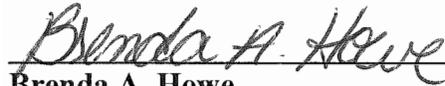
1. The determinations of the Prehearing Conference set forth in this Order are made a part of the record in this Cause and shall be binding on all present and future parties of record during the proceedings of this Cause.

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

ATTERHOLT, BENNETT, LANDIS, MAYS AND ZIEGNER CONCUR:

APPROVED: MAY 04 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