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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PIPELINE )  
SAFETY DIVISION'S INVESTIGATION OF ) CAUSE NO. 44209  
FORT WAYNE IN PIPELINE SAFETY )  
DIVISION CASE NUMBER 1093 ) APPROVED:

SEP 26 2012

ORDER OF THE COMMISSION

**Presiding Officers:**

**Kari A.E. Bennett, Commissioner**

**Loraine L. Seyfried, Chief Administrative Law Judge**

On June 4, 2012, the City of Fort Wayne, Indiana ("Fort Wayne") filed its Petition for Public Hearing and Review in this Cause requesting the Indiana Utility Regulatory Commission ("Commission") review the findings and recommended civil penalty of the Indiana Underground Plant Protection Advisory Committee issued on May 4, 2012.

On August 28, 2012, Fort Wayne and the Commission's Division of Pipeline Safety ("Pipeline Safety") filed a Joint Motion to Dismiss requesting this Cause be dismissed with prejudice due to Pipeline Safety's withdrawal of its finding of violation. Accordingly, the Commission finds this Cause should be dismissed.

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

1. This Cause is hereby dismissed, with prejudice.
2. This Order shall be effective on and after the date of its approval.

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

**APPROVED: SEP 26 2012**

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

*Brenda A. Howe*

**Brenda A. Howe  
Secretary to the Commission**