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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE COMPLAINT ) OF ROBERT SHAW AGAINST CITIZENS ) WATER. ) RESPONDENT: CITIZENS WATER )	) ) ) )	CAUSE NO. 44251  APPROVED:           JUN 19 2013
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ORDER OF THE COMMISSION

**Presiding Officers:**  
**James D. Atterholt, Chairman**  
**Gregory R. Ellis, Administrative Law Judge**

On September 19, 2012, the Indiana Utility Regulatory Commission’s (“Commission”) General Counsel’s Office requested, on behalf of the Commission’s Consumer Affairs Division (“CAD”), that due to the complexity of issues or circumstances involved in this complaint the Commission review the complaint submitted by Mr. Robert Shaw (“Complainant” or “Mr. Shaw”) regarding an on-going dispute between Complainant and Citizens Water (“Respondent” or “Citizens”). Complainant’s original complaint was initiated in October 2009. Pursuant to 170 IAC 16-1-5(e), the CAD referred the complaint to the Commission and it was formally docketed under this Cause.

The Complainant prefiled his prepared testimony and exhibits constituting his case-in-chief on February 27, 2013. Citizens prefiled its prepared testimony and exhibits constituting its case-in-chief on March 20, 2013. On March 22, 2013, Complainant prefiled his rebuttal testimony. Pursuant to notice given and published as required by law, proof of which was incorporated into the Record of this Cause by reference and placed in the official files of the Commission, an evidentiary hearing was commenced on April 10, 2013 at 1:30 p.m., in Room 222, 101 West Washington Street, Indianapolis, Indiana. The Complainant, Respondent and the Indiana Office of Utility Consumer Counselor (“OUCC”) were present and participated. Prior to the conclusion of Complainant’s case-in-chief and before Citizens had an opportunity to cross-examine Mr. Shaw or present its case-in-chief, the Parties engaged in settlement negotiations during a recess in the hearing. After the recess, the Parties indicated they had reached an agreement resolving all issues presented in this proceeding and read the terms of their agreement into the record.

The Complainant and Respondent (collectively “Joint Movants”) filed their *Joint Stipulation of Dismissal* (“Motion”) in this Cause on May 3, 2013. The Motion requests the Complaint be dismissed by the Commission with prejudice. In support of their Motion, the Joint Movants submitted an executed Settlement Agreement. The OUCC did not object to the voluntary dismissal of this Cause.

Upon reviewing the Joint Movants' Motion, the Commission now finds that this Cause should be dismissed with prejudice.

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

1. The Complaint that is the subject of this Cause, involving Mr. Robert Shaw and Citizens Water, is hereby dismissed with prejudice.
2. This Order shall be effective on and after the date of its approval.

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

**APPROVED: JUN 19 2013**

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



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