

ORIGINAL

STATE OF INDIANA

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INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION OF THE TOWN )  
OF SPICELAND, INDIANA BY ITS MUNICIPALLY )  
OWNED ELECTRIC UTILITY FOR A CHANGE IN ITS )  
ASSIGNED SERVICE TO INCORPORATE AN )  
ANNEXED AREA PURSUANT TO IC 8-1-2.3-6(1) AND )  
FOR APPROVAL OF A CONSENT TO ALLOW )  
ANOTHER ELECTRIC UTILITY TO SERVE )  
CUSTOMERS WITHIN ITS ASSIGNED SERVICE AREA )  
BOUNDARIES ON A TEMPORARY BASIS PURSUANT )  
TO IC 8-1-2.3-4(A). )  
RESPONDENT: DUKE ENERGY )

CAUSE NO. 44338

APPROVED: JUL 03 2013

ORDER OF THE COMMISSION

Presiding Officers:

Marya E. Jones, Administrative Law Judge

On April 29, 2013, the Town of Spiceland, Indiana by its municipally owned electric utility ("Petitioner") filed its *Verified Petition* ("Petition") with the Indiana Utility Regulatory Commission ("Commission") in this matter.

On June 25, 2013, Petitioner filed its *Motion to Dismiss Petition* ("Motion"). The Motion requests the Petition be dismissed by the Commission without prejudice. Upon reviewing the Petitioner's Motion the Commission now finds that this Cause should be dismissed without prejudice.

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

1. Cause No. 44338, initiated by the Petition filed on April 29, 2013 by Petitioner, is hereby dismissed without prejudice.
2. This Order shall be effective on and after the date of its approval.

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

APPROVED: JUL 03 2013

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

*Shala M. Coe*  
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Shala M. Coe  
Acting Secretary to the Commission