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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE JOINT)
PETITION OF SOUTH CENTRAL INDIANA)
RURAL ELECTRIC MEMBERSHIP)
CORPORATION AND DUKE ENERGY)
INDIANA, INC. FOR APPROVAL OF AN)
AGREED CHANGE IN THE BOUNDARY OF)
THEIR RESPECTIVE ASSIGNED SERVICE)
TERRITORIES ON U.S.G.S. FACET J-21-1 IN)
SECTION 16 WASHINGTON TOWNSHIP OF)
OWEN COUNTY, INDIANA, PURSUANT TO)
IND. CODE § 8-1-2.3.)

CAUSE NO. 44401

APPROVED:

NOV 13 2013

ORDER OF THE COMMISSION

Presiding Officer:

Marya E. Jones, Administrative Law Judge

On September 30, 2013, South Central Indiana Rural Electric Membership Corporation (“SCI REMC”) and Duke Energy Indiana, Inc. (“Duke Energy Indiana”) (collectively “Joint Petitioners”) filed a *Verified Joint Petition for Approval of Modification to Serve Area Boundary* (“Joint Petition”) with the Indiana Utility Regulatory Commission (“Commission”). Pursuant to Ind. Code § 8-1-2.3-6(2), Joint Petitioners seek Commission approval of a mutually agreed change by Joint Petitioners of the boundary between their respective assigned service areas.

The Commission, having considered the evidence and applicable law, now finds:

1. Commission Jurisdiction. Joint Petitioner, SCI REMC, is a member-owned non-profit electric distribution cooperative duly organized and existing under the laws of the State of Indiana, with its principal place of business in Martinsville, Morgan County, Indiana. It is engaged in the business of distributing, furnishing and selling retail electric service to the public in various counties in the State of Indiana, including Owen County, and has legal authority to do so.

Joint Petitioner, Duke Energy Indiana, is a corporation organized and existing under the laws of the State of Indiana, with its principal place of business in Plainfield, Hendricks County, Indiana. Duke Energy Indiana is engaged in the business of generating, transmitting, distributing, furnishing and selling retail electric energy to the public in Indiana, including Owen County and has legal authority to do so.

Both SCI REMC and Duke Energy Indiana are “electricity suppliers” within the meaning of Ind. Code § 8-1-2.3-2 that furnish retail electric service to areas in Owen County, Indiana.

Accordingly, the Commission has jurisdiction over the Joint Petitioners and the subject matter of the Joint Petition.

2. **Relief Sought.** Joint Petitioners request a change in their respective assigned service area boundaries that were established in Cause No. 36299-S231(X) on certain portions of U.S.G.S. Facet Map J-21-1 in Owen County, Indiana. Upon Commission approval Joint Petitioners' area boundaries in Owen County would change in a manner that Duke Energy Indiana would gain service area and SCI REMC would lose service area on U.S.G.S. Facet Map J-21-1. A portion of U.S.G.S. Facet Map J-21-1 is attached to the Joint Petition as Facet Exhibit "C" which depicts in detail the proposed service area modification ("Transferred Area").

Joint Petitioners state the proposed modification involves Section 16 of Washington Township in Owen County, Indiana, which will become part of Duke Energy Indiana's service area. Joint Petitioners agree the Transferred Area will not require a change in the electricity supplier for existing customers of either utility since there are no customers currently receiving service. Joint Petitioners allege the proposed boundary change will not cause duplication of electric utility facilities, waste of materials or resources or cause uneconomic, inefficient, or inadequate electric service to the public. There is no other evidence to the contrary before the Commission in this proceeding.

3. **Notice.** Ind. Code § 8-1-2.3-6(2) in part provides:

If notice of a verified request for a change of boundary lines by mutual agreement under this subdivision is published in a newspaper of general circulation in every county in which the boundary lines are located and an affected electricity customer does not request a hearing within twenty (20) days of the last date of publication, the commission may approve the change without a hearing.

The evidence shows that notice of Joint Petitioners' Joint Petition for a change of boundary lines located on U.S.G.S. Facet Map J-21-1 was published on October 3, 2013 in *The Owen Leader* and on October 4, 2013 in *The Spencer Evening World*. These are newspapers of general circulation in Owen County, which is the county where the affected boundary lines are located. Proofs of publication of this notice were filed with the Commission on October 23, 2013, and are hereby incorporated into the record of this Cause. Twenty (20) days have passed since the dates of publication of the notice and no affected electricity customer has requested a hearing. Therefore, pursuant to Ind. Code § 8-1-2.3-6(2), the Commission may approve the requested boundary line change without a hearing.

4. **Approval of Requested Boundary Modification.** Based upon the foregoing findings, the Commission concludes that the agreed-upon change to Joint Petitioners' respective assigned service area boundaries located on U.S.G.S. Facet Map J-21-1, as specifically depicted in the Joint Petition and exhibit attached thereto, will promote economical, efficient, and adequate electric service to the public consistent with the legislative policy set forth in Ind. Code § 8-1-2.3-1 and, therefore, should be approved.

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

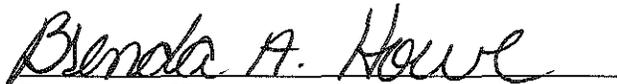
1. Joint Petitioners' agreed-upon service area boundary change as set forth above and in the Joint Petition and exhibit attached is hereby approved.
2. Within thirty (30) days of the date this Order is approved, Joint Petitioners shall coordinate with Commission Technical Staff to update the service territory mapping system to reflect the modified service area boundaries approved by this Order.
3. This Order shall be effective on and after the date of its approval.

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

APPROVED:

NOV 13 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