

service area boundaries pursuant to Ind. Code § 8-1-2.3-6(2), which provides that the assigned service area boundaries of electricity suppliers may be changed upon a mutual agreement of the affected electricity suppliers and approval of the Commission. Accordingly, the Commission has jurisdiction over the Joint Petitioners and the subject matter of the Joint Petition.

2. **Relief Sought.** Joint Petitioners assert that since the initial approval of their respective assigned service area boundaries in Cause No. 36299-S212(CB)(X), Joint Petitioners have agreed that certain service territory modifications between LMU and Miami-Cass REMC have become necessary in Sections 25, 26 and 27 of U.S.G.S. Facet Map N-9 and Sections 1, 2, 3, 4, and 5 of U.S.G.S. Facet Map N-10 of Washington Township and Tipton Township in Cass County, Indiana. Upon Commission approval Joint Petitioners have agreed to transfer approximately 504 acres from LMU's service territory to Miami-Cass REMC's service territory and approximately 760 acres of Miami-Cass REMC's service territory to LMU's service territory. Exhibit "A," attached to the Joint Petition, consists of a portion of U.S.G.S. Facet Map N-9 and N-10 showing the proposed boundary change. A more detailed map, attached to the Joint Petition as Exhibit "B," depicts in detail the proposed service area modifications between LMU and Miami-Cass REMC.

Joint Petitioners allege the proposed boundary change will result in the transfer of existing LMU customers to Miami-Cass REMC, and the transfer of Miami-Cass REMC customers to LMU. Joint Petitioners have agreed to the exchange of certain existing facilities within the requested service area boundary changes and to the transfer of documents no later than sixty (60) days after Commission approval of the Joint Petition. Joint Petitioners further allege that the proposed modifications 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 Maps N-9 and N-10 was published on October 23, 2013 in the *Logansport Pharos Tribune*. This is a newspaper of general circulation in Cass County, which is the county where the affected boundary lines are located. Proof of publication of this notice was filed with the Commission on November 13, 2013, and is hereby incorporated into the record of this Cause. Twenty (20) days have passed since the date 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 LMU's and Miami-Cass REMC's agreed-upon changes to assigned service area boundaries located on U.S.G.S. Facet Maps N-9 and N-10, as specifically depicted in the Joint Petition and exhibits 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 changes as set forth above and in the Joint Petition and exhibits attached thereto are 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, MAYS, AND ZIEGNER CONCUR; LANDIS ABSENT:

APPROVED: DEC 11 2013

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



Shala M. Coe
Acting Secretary to the Commission