

ORIGINAL

[Handwritten signatures and initials]

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE JOINT PETITION OF)	
JOHNSON COUNTY RURAL ELECTRIC)	
MEMBERSHIP CORPORATION AND DUKE)	
ENERGY INDIANA, INC. FOR APPROVAL OF AN)	CAUSE NO. 44464
AGREED CHANGE IN THE BOUNDARY OF)	
THEIR RESPECTIVE ASSIGNED SERVICE)	APPROVED:
TERRITORIES ON U.S.G.S. FACET O-19-1)	APR 30 2014
JOHNSON COUNTY, INDIANA PURSUANT TO)	
IND. CODE §8-1-2.3.)	

ORDER OF THE COMMISSION

Presiding Officer:
David E. Veleta, Administrative Law Judge

On March 14, 2014, Johnson County Rural Electric Membership Corporation (“Johnson County REMC”) and Duke Energy Indiana, Inc. (“Duke Energy Indiana”) (collectively, “Joint Petitioners”) filed a *Verified Joint Petition for Approval of Modification to Service Area Boundary* (“Joint Petition”) with the Indiana Utility Regulatory Commission (“Commission”). Pursuant to Indiana Code § 8-1-2.3-6(2), the Joint Petition seeks Commission approval of the electric service area boundary changes to which Johnson County REMC and Duke Energy Indiana have mutually agreed. Joint Petitioners agree to change service area boundaries located on U.S.G.S. Facet Map No. O-19-1 in Johnson County, Indiana.

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

1. Commission Jurisdiction. Joint Petitioner Johnson County REMC is a rural electric membership corporation organized and existing under the laws of the State of Indiana, with its principal place of business located in Franklin, Indiana. It is engaged in the business of distributing, furnishing and selling retail electric service to the public in several counties in the State of Indiana, including Johnson County, and has charter 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 office in Plainfield, Hendricks 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 Johnson County. Each Joint Petitioner is an “electricity supplier” within the meaning of Indiana Code § 8-1-2.3-2(b).

Joint Petitioners have sought the Commission’s approval to change their service area boundaries pursuant to Indiana 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 the approval of this Commission. Accordingly, the Commission has jurisdiction over the Joint Petitioners and the subject matter of their Joint Petition.

2. **Relief Sought.** Joint Petitioners assert that since the initial approval of the service area boundaries, certain modifications to the boundaries set forth therein are now required in order to place a portion of Johnson County REMC's service territory into the service territory of Duke Energy Indiana. Exhibit AA attached to the Joint Petition reflects the area served by Johnson County REMC on U.S.G.S. Facet Map No. O-19-1 that the Joint Petitioners propose to include in Duke Energy Indiana's service territory.

Joint Petitioners state that the proposed modification will not cause a duplication of electric utility facilities, waste of materials or resources, or uneconomic, inefficient, or inadequate electric service to the public. There is no evidence to the contrary before the Commission in this proceeding.

3. **Notice.** Indiana Code § 8-1-2.3-6(2) 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' petition for a change of boundary lines located on U.S.G.S. Facet Map No. O-19-1 was published on March 26, 2014, in the *Daily Journal*. That is a newspaper of general circulation in Johnson County, which is the county where the affected boundary lines are located. Proof of publication of this notice was filed with this Commission, 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 Indiana Code § 8-1-2.3-6(2), the Commission may approve the requested boundary line change without a hearing.

4. **Approval of Requested Boundary Line 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 O-19-1, as specifically depicted in the Verified Joint Petition and the Exhibits attached thereto, will promote economical, efficient, and adequate electric service to the public consistent with the legislative policies set forth in Indiana 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 line change as set forth above and in the Verified Joint Petition and Exhibits attached thereto is hereby approved.

2. Within thirty (30) days of the date this Order is approved, Joint Petitioners shall coordinate with the Commission's 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, STEPHAN, WEBER, AND ZIEGNER CONCUR:

APPROVED: APR 30 2014

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

A handwritten signature in cursive script that reads "Brenda A. Howe". The signature is written in black ink and is positioned above a horizontal line.

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