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STATE OF INDIANA

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).)
)
**RESPONDENTS: DUKE ENERGY INDIANA, INC.,)
AND HENRY COUNTY REMC COMMUNITY)
SERVICE CORPORATION)****

CAUSE NO. 44564

APPROVED:

JAN 28 2015

PREHEARING CONFERENCE ORDER OF THE COMMISSION

**Presiding Officers:
Carol Stephan, Commission Chair
Marya E. Jones, Administrative Law Judge**

On November 13, 2014, the Town of Spiceland, Indiana, by its municipally owned electric utility (“Petitioner” or “Spiceland”) filed its Verified Petition (“Petition”) with the Indiana Utility Regulatory Commission (“Commission”) in this Cause. Petitioner filed an amended Petition on November 26, 2014.

On January 22, 2015, Respondent Duke Energy Indiana, Inc. (“Duke”) filed a Verified Motion to Dismiss Spiceland’s Petition.

Pursuant to notice and as provided for in 170 IAC 1-1.1-15, a Prehearing Conference in this Cause was held in Room 224 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana at 1:30 p.m., on January 23, 2015. Proofs of publication of the notice of the Prehearing Conference have been incorporated into the record and placed in the official files of the Commission. Petitioner, Respondents, Duke Energy Indiana, Inc., and Henry County REMC Community Service Corporation and the Indiana Office of Utility Consumer Counselor (“OUCC”) appeared and participated at the Prehearing Conference. No members of the general public appeared.

Prior to the opening of the record and with the consent of all parties in attendance, an informal discussion was held regarding procedural and scheduling matters in this Cause. The agreement of the parties was then read into the record.

Based upon the agreement of the parties, the Commission now enters the following Findings and Order which shall become a part of the record in this proceeding:

1. **Responses to the Motion to Dismiss.** Any response to Duke's Motion to Dismiss shall be filed on or before February 2, 2015.

2. **Reply to Responses.** Duke shall file any reply to a Response to the Motion to Dismiss on or before February 9, 2015.

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

1. The determinations of the Prehearing Conference set forth in this Order are made a part of the record in this Cause and shall be binding on all present and future parties of record during the proceedings of this Cause.

2. This Order shall be effective on and after the date of its approval.

STEPHAN, MAYS-MEDLEY, HUSTON, WEBER, AND ZIEGNER CONCUR:

APPROVED: JAN 28 2015

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



Brenda A. Howe
Secretary to the Commission