

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

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VERIFIED PETITION OF CITIZENS WASTEWATER)
OF WESTFIELD, LLC FOR (1) AUTHORITY TO)
INCREASE RATES AND CHARGES FOR) CAUSE NO. 44835
WASTEWATER UTILITY SERVICE AND APPROVAL)
OF A NEW SCHEDULE OF RATES AND CHARGES;)
AND (2) APPROVAL OF CERTAIN REVISIONS TO ITS) APPROVED: SEP 28 2016
TERMS AND CONDITIONS APPLICABLE TO)
WASTEWATER UTILITY SERVICE)

PREHEARING CONFERENCE ORDER OF THE COMMISSION

Presiding Officers:
Carol A. Stephan, Commission Chair
Loraine L. Seyfried, Chief Administrative Law Judge

On August 12, 2016, Citizens Wastewater of Westfield, LLC (“Petitioner”) filed its Verified Petition with the Indiana Utility Regulatory Commission (“Commission”) in this matter.

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 10:30 a.m., on September 21, 2016. 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 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. **Test Year and Accounting Method.** The test year for determining Petitioner’s actual and pro forma operating revenues, expenses, and operating income under present and proposed rates shall be the 12 months ended December 31, 2015, adjusted for changes that are fixed, known, and measurable for ratemaking purposes and that occur within 12 months following the end of the test year.

2. **Cutoff date.** The rate base cutoff shall reflect used and useful property at the end of the test year updated for the major projects described in the Verified Petition and placed in service after December 31, 2015.

3. **Notice to Customers.** Petitioner shall provide evidence of its compliance with 170 IAC 8.5-2-6(c) to provide notice to its customers within 45 days of filing a petition with the Commission for a change in its base rates which fairly summarizes the nature and extent of the proposed changes.

4. **Petitioner's Prefiling Date.** Petitioner prefiled with the Commission its prepared testimony and exhibits constituting its case-in-chief on August 12, 2016.

5. **Field Hearing.** A field hearing will be convened in this Cause at a time and location to be determined at a later date.

6. **OUCC's and Intervenors' Prefiling Date.** The OUCC and all Intervenors shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before November 30, 2016. Copies of same shall be served upon all parties of record.

7. **Petitioner's Rebuttal and Cross-Answer Prefiling.** Petitioner shall prefile with the Commission its prepared rebuttal testimony on or before December 29, 2016. Copies of same shall be served upon all parties of record.

8. **Cross-Answering Testimony.** The OUCC and all Intervenors may prefile with the Commission any cross-answering testimony and exhibits responding to the cases-in-chief prefiled by parties other than Petitioner on or before December 29, 2016. Copies of same shall be served upon all parties of record.

9. **Witness Order.** Parties shall submit their intended order of witnesses to the Commission and the parties in writing at least 72 hours in advance of the evidentiary hearing.

10. **Evidentiary Hearing on the Parties' Cases-In-Chief.** In the event this Cause is not settled, the cases-in-chief of the Petitioner, the OUCC and any Intervenors shall be presented in an evidentiary hearing to commence at 9:30 a.m., on January 23, 2017 and continue as necessary through January 25, 2017 in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. At such time, the direct evidence of the respective parties shall be presented and their respective witnesses examined. Thereafter, Petitioner shall present its prefiled rebuttal evidence as well as any additional evidence rebutting evidence adduced on cross-examination of the OUCC's or Intervenors' witnesses. If the parties reach settlement, the agreement and supporting testimony and exhibits shall be submitted to the Commission at least ten business days prior to the evidentiary hearing.

11. **Discovery.** Discovery is available for all parties and shall be conducted on an informal basis. Any response or objection to a discovery request shall be made within ten calendar days of the receipt of such request. After the submission of the Petitioner's rebuttal testimony, any response or objection to a discovery request shall be made within seven calendar days of the receipt of such request. Any discovery request received after noon on a Friday or a day before a state holiday shall be deemed to have been received on the following business day.

12. **Proposed Orders.** Petitioner shall file its proposed order and any supporting brief on or before February 14, 2017. The OUCC and any Intervenors shall file exceptions to Petitioner's proposed order and/or proposed orders on or before March 7, 2017. Petitioner shall file any reply to the OUCC's and Intervenors' exceptions and/or proposed orders on or before March 14, 2017.

13. **Prefiling of Workpapers.** When prefiling technical evidence with the Commission, each party shall file copies of the work papers used to produce that evidence within two business days after the prefiling of such technical evidence. Copies of same shall also be served on the other parties to this Cause.

14. **Number of Copies/Corrections.** Filings with the Commission shall comply with General Administrative Order 2016-2. Any corrections to prefiled testimony shall be made in writing as soon as possible after discovery of the need to make such corrections.

15. **Objections to Prefiled Testimony and Exhibits.** Any objections to the admissibility of prefiled testimony or exhibits shall be filed with the Commission and served on all parties of record no less than two business days prior to the date scheduled for commencement of the hearing at which the testimony or exhibit will be offered into the record.

16. **Intervenors.** Any party permitted to become an Intervenor in this Cause shall be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 IAC 1-1.1-11.

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.

FREEMAN, HUSTON, WEBER, AND ZIEGNER CONCUR; STEPHAN ABSENT:

APPROVED: SEP 28 2016

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



Mary M. Becerra
Secretary of the Commission