

STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION

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INDIANA UTILITY
REGULATORY COMMISSION

PETITION FOR APPROVAL OF RATE AND CHARGE DIFFERENCE BETWEEN
PROPERTY WITHIN AND PROPERTY OUTSIDE THE CORPORATE BOUNDARIES
OF TOWN of BROOKVILLE MUNICIPALITY}

Pursuant to Indiana Code § 8-1.5-3-8.3(c), TOWN of BROOKVILLE, {Municipality} by counsel, requests the Director of the Water and Wastewater Division of the Indiana Utility Regulatory Commission ("Commission") to approve the rate and charge difference between property within and property outside the corporate boundaries of TOWN of BROOKVILLE {Municipality}. In support of its request, PETITIONER states:

1. The ordinance setting rates and charges for property within and property outside the municipality's corporate boundaries took effect on (date) 5/13/1958
2. Attached as "Exhibit A" is a copy of the Ordinance.
3. The works that is the subject of the Ordinance is a (select one):
 - a. water utility works ✓
 - b. wastewater utility works _____
 - c. both water and wastewater utility works _____
4. The percentage difference between the rates and charges imposed on users of the works for service to property located outside the corporate boundaries of the municipality and to property located within the corporate boundaries is 25%
5. If the percentage difference in #4 above varies based upon the amount of consumption, please provide a chart illustrating the various consumption levels in 1,000 gallon increments with the corresponding percent surcharge and attach to this Petition.
6. BRENDA WILHELM/WAGGONER is counsel of record for Petitioners in this matter and is duly authorized to accept service of papers in this cause on behalf of Petitioners.

Respectfully submitted,


BRENDA WILHELM/WAGGONER

Attorney for Petitioners

Verification

I, KURT T. RIEDMAN, affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Signed Kurt T. Riedman {Representative of Municipality}

Date 9/12/12

Attorney Contact Information

BRENDA WILHELM/WAGGONER
424 COURT ST.
BROOKVILLE, IN 47012

765-647-0488

File 109
March 15

ORDINANCE No. 1 -1958

An ordinance concerning the construction of extensions and additions to the Water Works owned and operated by the Town of Brookville, Indiana, and adopting New Schedule of Rates and Charges, and matters connected therewith.

WHEREAS, the Board of Trustees of the Town of Brookville, Indiana, is the owner of and operates an encumbered water works furnishing the Public Water Supply to said Town and its inhabitants; and, users; and,

WHEREAS, the Board of Trustees of said Town of Brookville has determined and now finds that said Water Works is in need of certain extensions and additions, during the period of the next Five (5) Years, in order to furnish a volume of water supply of a proper quality and quantity for the use of the Town and its citizens and industries; and that said extensions and additions are required in order to properly ~~maintain~~ protect the health, well-being and property of the Town and its inhabitants and users of said water from said Water Works; and

WHEREAS, said Board has employed Clyde E. Williams & Associates, consulting Engineers of South Bend, Indiana, to determine the extensions and additions required and the costs thereof and to prepare plans, specifications and estimates therefor, and has found from the report of said engineers that the existing ~~unsatisfactory~~ factory conditions can be remedied by the installations of a new softening unit, new well and pump, roof for salt basin, new chlorinator, rebuilding remote electric pump control system, new meters, valves and some new water lines; and that the costs of said extensions and additions will be in the approximate amount of \$ 75,600.00 over said 5 year period, including all incidental expenses necessary to be incurred in connection therewith; and

WHEREAS, there is still owing an approximate amount of \$ 31,000.00 ^{of bonds} on Water Works Revenue Bonds of 1951 of said Town; and,

WHEREAS, it will be necessary to increase the existing rates and charges which have been approved in a prior cause before the Public Service Commission of Indiana(said Town now furnishing water at a loss in the highest bracket) in order that sufficient funds will be provided to permit the Water Works of said Town to discharge all of its covenants with its bond-holders and to maintain the said utility property in a sound physical and financial condition to render adequate and efficient service, NOW THEREFORE

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BROOKVILLE, INDIANA:

SECTION 1. That the Town of Brookville, Indiana, being the owner and engaged in operating ~~an~~encumbered waterworks supplying the Town and its inhabitants and users with water for domestic and industrial use, now provide for certain needed extensions and additions from the revenues and receipts of such waterworks.

SECTION 2. Said extensions and additions shall be constructed and installed in accordance with the plans, specifications and estimates prepared by Clyde E. Williams & Associates, consulting engineers of South Bend, Indiana, which plans, specifications and estimates are hereby approved. The extensions and additions shall include the following: Installation of a new softening unit; new well and pump; roof for salt basin; new chlorinator; rebuilding remote electric pump control system; new meters, valves and some new water lines at an approximate cost of \$75,600.00 over a 5 year period.

SECTION 3. The Board of Trustees of said Town is hereby authorized and directed to proceed with the construction and installation of said extensions and additions, and to enter into all contracts necessary for such purposes in conformity with the provisions of this ordinance and the laws of Indiana, subject, however, to the following conditions:

- (a) The approval by the Board of Trustees of said Town of all bids accepted and all contracts let for the construction and installations of said projects;
- (b) The approval of the Public Service Commission of Indiana for the making of said extensions and additions and the ~~issuance~~ schedule of new rates and charges for the water and services of said utility.

SECTION 4. For the purpose of procuring funds with which to pay the cost of construction and installation of the extensions and additions to its waterworks and of paying current bills and to pay said bonds of 1951 as they become due said Board now adopts the following Schedule of Rates and Charges for the use of water from said Water Works of said Town:-

<u>Consumption per Quarter</u>	<u>Charge per 1,000 Gallons</u>
First 7,000 Gallons	50¢
Next 13,000 "	40¢
Next 30,000 "	30¢
Next 50,000 "	25¢
Over 100,000 "	20¢
Flat Rate per Quarter for Unmetered Service	\$ 3.50
Minimum Rate per Quarter	3.50

Each user ~~with~~ shall pay a minimum Quarterly meter charge in accordance with the size of meter installed for which the user will be entitled to the quantity of water set out of the above schedule of rates.

<u>Size of Meter or Tap</u>	<u>Quarterly Charge</u>
5/8 x 3/4 inch or less	\$3.50
3/4 inch	3.75
1 inch	7.00
1 1/4 inch	12.50
1 1/2 inch	20.00

2 inch	\$37.50
3 inch	100.00
4 inch	200.00
6 inch	440.00

In no event shall the quarterly minimum charge for metered or unmetered services be less than \$3.50.

Water customers located outside the corporate limits of Brookville, Indiana shall pay 25 per cent more than the rates stated in the above schedule.

Each applicant for service shall pay a meter service connection charge equal to the cost of meter including any extra charge or cost for meter size over 3/4 inch in diameter.

All bills shall be ~~paid~~ due and payable on the first day of January, April, July and October, following date of billing. Bills unpaid 15 days following date of billing shall include a collection charge of 10% on the first \$3.50 of unpaid billing and 3% on the balance of unpaid billing in excess of \$3.50.

For unmetered fire sprinkler service or emergency connection tap, the annual charge shall be equal to four times the minimum quarterly meter size or tap connection charge.

The amount to be paid by the Town of Brookville for fire hydrant rental ~~per year, payable semi-annually~~ shall be Fifty Dollars (\$50.00) per hydrant per year, payable semi-annually. And for private fire protection the fire hydrant rental shall be Fifty Dollars (\$50.00) per hydrant per annum and 25¢ per annum for each sprinkler head.

Water furnished to temporary users, such as contractors, circuses, etc., shall be charged on the basis of the above gallonage rates as estimated by the Waterworks Superintendent.

A service charge of \$ 1.50 shall be collected for turning on or off water service.

For tank water sales a flat rate of \$1.00 per 1,000 gallons shall be charged.

SECTION 5. All ordinances and parts of ordinances in conflict herewith are hereby repealed; provided, however, that the existing schedule of water rates and charges shall remain in full force and effect until the schedule of rates and charges fixed by this ordinance shall be approved by the Indiana Public Service Commission, and until such a time as the order of said Commission approving said new rates and charges shall direct.

SECTION 6. This ordinance shall be in full force and effect from and after its passage; provided, however, that the schedule of rates and charges herein set out shall not become effective unless approved by the said Public Service Commission of Indiana or until such time as said Commission shall direct.

Passed and adopted by the Board of Trustees of the Town of Brookville, Indiana on the 13th day of May, 1958.

Geo. Ambrose
Richard Williams

Richard J. Feller
Virgil Teble

Board of Trustees of Town of Brookville, Indiana

Attest:

Donald Russell
Clerk-Treasurer