

\* ALSO ADMITTED IN ARIZONA

GEORGE W. LOY  
ATTORNEY AT LAW  
117 W. BROADWAY  
P.O. BOX 631  
MONTICELLO, INDIANA  
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TELEPHONE  
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September 26, 2012

Indiana Utility Regulation Commission  
Director, Water/Wastewater Division  
101 W. Washington St., Ste. 1500E  
Indianapolis, IN 46204

RECEIVED  
SEP 28 2012  
INDIANA UTILITY  
REGULATORY COMMISSION

Re: City of Monticello Water Utility  
Petition for Approval of Charge Outside Corporate Boundary

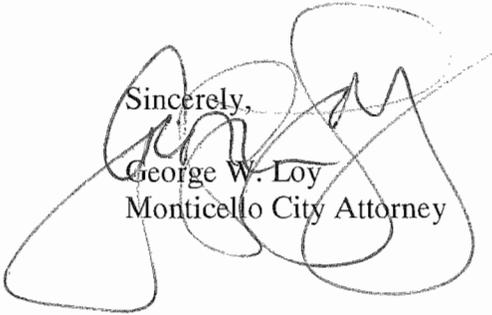
Dear Director:

Please find enclosed my Petition to be filed on behalf of the Monticello Water Utility for approval of its \$14.49 per month additional charge to customers outside the city limit. As stated in this Petition, this charge is for recovery of additional fire protection service costs. I would appreciate receiving the additional extra copy of this petition for file-marking and return in the enclosed self-addressed stamped envelope.

Please direct any questions as well as any confirmation of approval of this petition to my office.

Thank you very much.

Sincerely,

  
George W. Loy  
Monticello City Attorney

Encl.  
GWL:jrm

c: Monticello Water Utility

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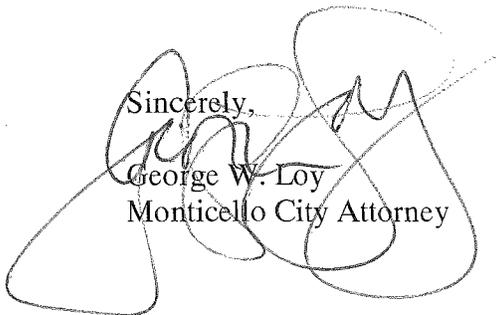
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**STATE OF INDIANA**

**INDIANA UTILITY REGULATORY COMMISSION**

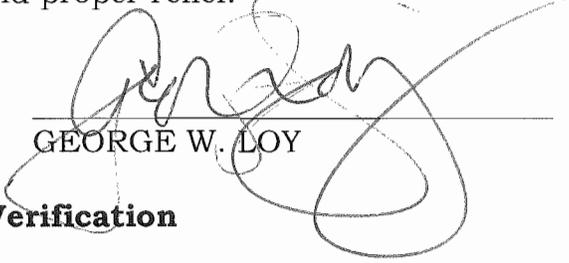
PETITION OF THE CITY OF )  
MONTICELLO FOR APPROVAL )  
OF RATE AND CHARGE )  
DIFFERENCE BETWEEN )  
PROPERTY WITHIN AND )  
PROPERTY OUTSIDE THE )  
CORPORATE BOUNDARIES )  
OF THE CITY OF MONTICELLO )

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Pursuant to Indiana Code §8-1.5-3-8.3(c), the Petitioner, City of Monticello, Indiana (“Monticello”), by counsel, George W. Loy, respectfully petitions the Indiana Utility Regulatory Commission (“Commission”) for approval of the water utility charge difference between property within and property outside the corporate boundaries of Monticello. In support of its Petition, Petitioner states as follows:

1. The Ordinance setting rates and charges for property within and property outside Monticello’s corporate boundaries took effect December 14, 2009, a copy of which is attached hereto as Exhibit “A.”
2. The Monticello Water Utility is the subject of the Ordinance.
3. The difference between the rates and charges imposed on users of the works for service to property located outside the corporate boundaries of Monticello and to property located within the corporate boundaries is not based on a percentage of use, but is an additional \$14.49 per month to recover the cost of fire protection services to customers located outside the corporate boundaries.
4. George W. Loy, Attorney at Law, 117 W. Broadway, P.O. Box 631, Monticello, Indiana 47960, is counsel of record for Petitioner in this matter and is duly authorized to accept service of papers in this cause on behalf of Petitioner.

WHEREFORE, the City of Monticello, Indiana requests that the Commission issue an Order approving the water utility charge difference between property within and property outside the corporate boundaries of the Monticello, and for all other just and proper relief.



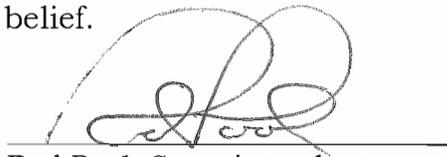
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GEORGE W. LOY

**Verification**

Rod Pool, Superintendent of the Monticello Water Utility, affirms under penalties for perjury that the foregoing representations are true and correct to the best of his knowledge, information and belief.

Dated: September 26, 2012.



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Rod Pool, Superintendent  
of Monticello Water Utility

George W. Loy  
Attorney for City of Monticello  
117 W. Broadway  
P.O. Box 631  
Monticello, IN 47960  
574-583-8628

ORDINANCE NO. 2009-27

AN ORDINANCE AMENDING AND RESTATING MONTHLY RATES AND CHARGES FOR THE USE OF AND SERVICES RENDERED BY THE WATERWORKS OF THE CITY OF MONTICELLO, INDIANA

WHEREAS, the Common Council of the City of Monticello, Indiana ("City") has previously established its water rates and charges pursuant to the Monticello City Code ("Code"), for the use and services rendered by the waterworks system of the City; and

WHEREAS, the City has caused a financial study of the City's municipal waterworks ("Rate Study") to be made by H.J. Umbaugh & Associates, Certificate Public Accountants, LLP, Indianapolis, Indiana, in connection with a proposed project for the construction of additions and improvements to the waterworks ("Project") to be financed by the issuance of waterworks revenue bonds ("Bonds"); and

WHEREAS, based upon such Rate Study, the Common Council of the City finds that the rates and charges established by the Code are insufficient to enable the City to properly operate its waterworks plant, service its bonds and finance additions and improvements to its waterworks system and should be increased;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MONTICELLO, INDIANA, AS FOLLOWS:

Section 1. Title V, Chapter 52, Section 52.02(A)-(E) of the Code, as previously set forth in the 1977 Code, §20-30, Ordinance 00-29, as amended by Ordinance No. 2004-14, is hereby amended and restated as follows:

(A) *Metered rates per month.*

<i>Metered Rate Per Month (Per 100 Cubic Feet of Flow)</i>	<b>Phase I Water Rate (Effective January 1, 2010)</b>	<b>Phase II Water Rate (Effective January 1, 2011)</b>
First 400 cubic feet	\$3.45	\$3.78
Next 1,100 cubic feet	3.09	3.38
Next 8,500 cubic feet	2.75	3.01
Next 20,000 cubic feet	2.42	2.65
Next 30,000 cubic feet	2.08	2.28
Next 40,000 cubic feet	1.72	1.88
Over 100,000 cubic feet	1.37	1.50

(B) *Minimum charge per month.* Each user shall pay a minimum charge in accordance with the following applicable size of meter installed, for which the user will be entitled to the quantity of water set out in the above schedule of rates.

<i>Size of Meter</i>	<b>Phase I Water Rate (Effective January 1, 2010)</b>	<b>Phase II Water Rate (Effective January 1, 2011)</b>
3/4-inch meter or smaller	\$13.80	\$15.12
1-inch meter	20.66	22.62
1-1/2-inch meter	55.13	60.34
2-inch meter	103.37	113.13
3-inch meter	241.14	263.93
4-inch meter	447.77	490.18
6-inch meter	1,033.07	1,131.40

(C) *Public Fire Protection Charges Per Month.*

<i>Size of Waterline</i>	<b>Phase I Water Rate (Effective January 1, 2010)</b>	<b>Phase II Water Rate (Effective January 1, 2011)</b>
3/4-inch meter or smaller	\$4.92	\$5.39
1-inch meter	12.58	13.78
1-1/2-inch meter	28.32	31.01
2-inch meter	50.35	55.13
3-inch meter	113.28	124.04
4-inch meter	201.38	220.51
6-inch meter	453.11	496.16

(D) *Private Fire Protection Annual Charge.*

<i>Waterline Size/Fire Hydrant</i>	<b>Phase I Water Rate (Effective January 1, 2010)</b>	<b>Phase II Water Rate (Effective January 1, 2011)</b>
2-inch fire line	\$130.28	\$142.66
4-inch fire line	230.78	252.70
6-inch fire line	516.48	565.55
8-inch fire line	911.99	998.63
10-inch fire line	1,433.09	1,569.23
12-inch fire line	2,103.14	2,302.94

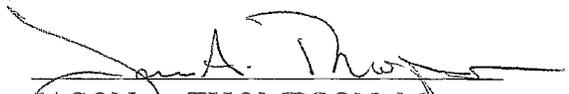
(E) *Outside user surcharge.* In order to recover the cost of fire protection services which are not otherwise compensated for, there shall be an additional charge of \$13.23 per

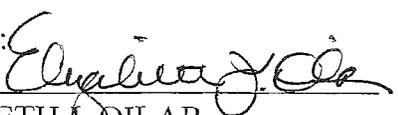
month in Phase I and \$14.49 per month in Phase II to customers located outside the corporate limits of the city.

Section 2. The rates and charges of Phase I approved in this ordinance shall become effective January 1, 2010 following the passage of this ordinance. The rates and charges of Phase II approved in this ordinance shall be effective January 1, 2011. All other provisions of and all other rates and charges established by the Code shall remain in full force and effect.

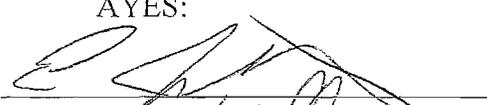
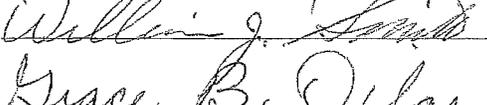
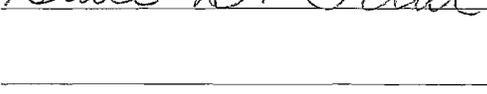
Section 3. This ordinance shall be in full force and effect from and after its passage and execution by the Mayor.

PASSED AND ORDAINED by the Common Council of the City of Monticello, Indiana, on this 14 day of December, 2009.

  
JASON A. THOMPSON, Mayor

ATTEST:   
ELIZABETH J. OILAR  
Clerk-Treasurer

AYES:

NAYS:

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October 30, 2012

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INDIANA UTILITY  
REGULATORY COMMISSION

E. Curtis Gassert  
Indiana Utility Regulatory Commission  
Water/Wastewater Division  
101 W. Washington St., Ste. 1500E  
Indianapolis, IN 46204

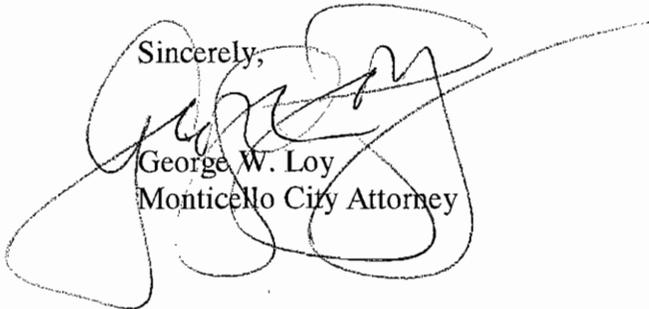
Re: City of Monticello Water Utility  
Petition for Approval of Charge Outside Corporate Boundary

Dear Mr. Gassert:

On behalf of the City of Monticello, I am hereby withdrawing the above Petition from IURC's consideration for approval. I trust this letter suffices. Please feel free to contact my office if not.

Thank you.

Sincerely,

  
George W. Loy  
Monticello City Attorney

GWL:jrm

c: Monticello Water Utility