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Geoffrey W. Wesling
Attorney at Law

September 20, 2012

RECEIVED
SEP 21 2012
INDIANA UTILITY
REGULATORY COMMISSION

E. Curtis Gassert, Director
Indiana Utility Regulatory Commission
Water/Wastewater Division
101 West Washington Street, Suite 1500 East
Indianapolis, IN 46204-3419

RE: Petition for Approval of Rate and Charge Difference for the City of Rushville

Dear Mr. Gassert:

Pursuant to General Administrative Order 2012-02 and on behalf of the City of Rushville and the Rushville Utility Board, please find enclosed the City's Petition for Approval of Rate and Charge Difference between property within the City and outside the corporate boundaries.

Should you have any questions or concerns please call.

Sincerely,

Geoffrey W. Wesling
Rushville City Utility Attorney

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION FOR APPROVAL OF RATE AND CHARGE DIFFERECE BETWEEN PROPERTY WITHIN AND PROPERTY OUTSIDE THE CORPORATE BOUNDAIRES OF THE CITY OF RUSHVILLE, AND ITS UTILITY SEWER BOARD	))))))	CASE NO. _____

Pursuant to Indiana Code § 8-1.5-3-8.3(C), Petitioner, the City of Rushville and the Rushville City Utilities Board, by counsel, respectfully petition the Indiana Utility Regulatory Commission ("Commission") for approval of the rate and charge difference between property within and property outside the corporate boundaries of the City of Rushville, Indiana ("City"). In support of this Petition, Petitioners States:

1. The current ordinance rates and charges for property within and property outside the City's corporate boundaries were adopted on March 20, 2012.
2. Attached as "Exhibit A" is a copy of the current ordinance setting rates and charges in effect of the City.
3. The works that are subject of this petition and the ordinance is wastewater utility.
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 City and to the property located with the corporate boundaries is fifty percent (50%).
5. The fifty percent (50%) figure is across the board regardless of the amount of consumption for those outside the corporate boundaries.
6. Petitioner considers and states that Indiana Code § 8-1.5-3-8.3 (c), among other statutes, to be applicable to the relief being requested in this Petition.
7. Geoffrey W. Wesling is counsel of record for Petitioners in this matter and is duly authorized to accept service of papers in this matter on behalf of the Petitioners.

Wherefore, the City of Rushville and the Rushville City Utility Board respectfully request that the commission issue and Order approving the percentage rate and charge difference between property within and property outside the corporate boundaries of the City of Rushville, Indiana and for any other just and reasonable relief.

Respectfully submitted,
City of Rushville, Indiana and
Rushville Utility Board

Geoffrey W. Wesling, #28833-70
Utility Attorney
Geoffrey W. Wesling Law Office
205 North Main Street
Rushville IN 46173
gww@weslinglaw.com
Attorney for Petitioners

VERIFICATION

I, Geoffrey W. Wesling, affirm under the penalties of perjury that the foregoing representations are true and to the best of my knowledge, information, and belief.

Signed:_____, Attorney for City of Rushville and Rushville Utility Board.

Dated: September 20, 2012

Attorney Contact Information
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Attorney for Petitioners

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION FOR APPROVAL OF RATE	)	
AND CHARGE DIFFERECE BETWEEN	)	
PROPERTY WITHIN AND PROPERTY	)	
OUTSIDE THE CORPORATE BOUNDAIRES	)	CASE NO. _____
OF THE CITY OF RUSHVILLE, AND ITS	)	
UTILITY SEWER BOARD	)	

APPEARANCE

1. Name of Petitioner: City of Rushville and Rushville Utility Board

2. Attorney Information:

Geoffrey W. Wesling Law Office
205 N Main Street
Rushville, IN 46173
gww@weslinglaw.com

Geoffrey W. Wesling
Telephone: (765) 938-5490

_____
Geoffrey W. Wesling, Attorney for Petitioner

ORDINANCE OF THE CITY OF RUSHVILLE, INDIANA
2012-8

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RUSHVILLE, INDIANA, AMENDING ORDINANCE NO. 2009-3

WHEREAS, the City Council of the City of Rushville has determined it necessary to amend Ordinance 2009-3 to include out of town surcharges for sewer and water as follows;

In the event that the Council determines that it is necessary to extend service to customers outside of the City corporation limits, the surcharge for sewer and water shall be no greater than fifty percent (50%) of the rates and charges for those customers of the City within the corporation limits.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RUSHVILLE that Ordinance No. 2009-3 is hereby amended to include surcharges for sewer and water to customers outside the corporation limits.

SEVERABILITY OF PROVISIONS: If any provision of this Ordinance or the application thereof to any person or circumstances shall be determined to be invalid, the remainder of the Ordinance and the application of its provisions to other persons not similarly situated or to the other circumstances shall not be affected thereby.

REPEAL OF PREVIOUS ORDINANCES: Any and all ordinances in conflict herewith shall be repealed.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF RUSHVILLE, INDIANA this Ordinance will be in full force and effect from and after its passage and signature by the City Council of the City of Rushville, Indiana, and as provided by law, and upon any further requirements under Indiana law.

DULY ORDERED BY THE CITY COUNCIL OF THE CITY OF RUSHVILLE this 20th day of March, 2012.

CITY COUNCIL, CITY OF RUSHVILLE:

Robert M. Bridges

Brian G. Conner

Craig A. Smith

Bradley A. Berkemeier

Brian Sheehan

PRESENTED TO ME FOR APPROVAL AND APPROVED THIS 20th DAY OF MARCH, 2012, at 6:00 o'clock p.m.

(A) There shall be and hereby are established for the use of and the service rendered by the waterworks system of the city the following rates and charges based on the use of water supplied by the waterworks system:

Metered rates per month	*Per 100 cu. ft.*
First 500 cu. ft.	$3.06
Next 1,500 cu. ft.	$2.70
Next 2.500 cu. ft.	$2.34
Next 7,500 cu. ft.	$2.02
Next 18,000 cu. ft.	$1.71
Next 20,000 cu. ft.	$1.36
Next 50,000 cu. ft.	$1.11
Next 100,000 cu. ft.	$0.82

Minimum Charges	*Per Month*
5/8–inch meter	$9.18
3/4–inch meter	$13.12
1–inch meter	$23.44
1½–inch meter	$52.88
2–inch meter	$93.67
3–inch meter	$211.44
4–inch meter	$376.12
6–inch meter	$846.98
8–inch meter	$1,510.39

Public Fire Protection Charges*	***Monthly***
5/8 inch meter	$3.88
3/4 inch meter	$3.88
1 inch meter	$9.95
1 1/2 inch meter	$22.37
2 inch meter	$39.77
3 inch meter	$89.49
4 inch meter	$159.09
6 inch meter	$357.95
8 inch meter	$636.38
*The monthly public fire protection charges are in addition to any charges computed using the metered rates or the minimum monthly charges.	

Annual Fire Sprinkler Connection Charge	
Per Line Per Year	*Amount*
2-inch connection	$131.10
3-inch connection	$207.59
4-inch connection	$284.08
6-inch connection	$426.09
8-inch connection	$518.96
10-inch connection	$662.11

Miscellaneous Charges	
Bad checks	A charge of $25 per bad check will be

	paid by the customer who issued such an instrument to the utility.
Reconnect fee	A charge of $30 will be paid by each customer who has service reconnected

(B)Each individual who requests services to be provided to their property from the Rushville City Utilities shall be required to pay a deposit in the sum of $75, such deposit shall be refunded whenever service is disconnected and all charges then due and owing are paid.

(C)The Common Council authorizes the utility to borrow funds in connection with financing the costs of providing monies for making extensions, replacements and improvements to the water plant.

(1992 Code, § 13.03.170) (Ord. 1991-2, passed 5-21-1991; Am. Ord. 1991-2a, passed 12-10-1991; Am. Ord. 1994-11, passed 11-15-1994; Am. Ord. 1995-1, passed 1-17-1995; Am. Ord. 1995-6, passed 6-6-1995; Am. Ord. 2002-9, passed 9-3-2002; Am. Ord. 2005-22, passed 11-15-2005; Am. Ord. 2009-3, passed 9-1-2009; Am. Ord. 2009-8, passed 12-1-2009)