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**STATE OF INDIANA  
INDIANA UTILITY REGULATORY COMMISSION**

**IN THE MATTER OF AN ORDER )  
APPROVING UTILITY ARTICLES )  
PURSUANT TO 170 IAC 1-6. )**

**APPROVED: JUN 30 2015**

**ORDER OF THE COMMISSION**

The Indiana Administrative Code provides for Thirty-Day Administrative Filing Procedures and Guidelines pursuant to the authority of Ind. Code 8-1-1-3 and Ind. Code 8-1-2-42. The thirty-day filing process is available for certain routine and non-controversial requests to facilitate expedited consideration of these matters by the Commission. The rule sets forth the requirements for the thirty-day administrative filings.

The thirty-day filings received pursuant to 170 IAC 1-6 and ripe for Commission action are attached hereto and collectively referred to as the Utility Articles. There are no controversial filings in the Utility Articles approved today. However, there is a thirty day filing by Communications Corporation of Indiana ("CCI") for an emergency change in rates pursuant to Ind. Code 8-1-2-113.

Pursuant to the rule, the Commission Technical Divisions have submitted their recommendations to the Commission. With regard to CCI, the Commission finds sufficient cause to approve a temporary change in rates on an emergency basis to prevent injury to the utility and other utilities that concur in CCI's intrastate access tariff. A final ruling on CCI's 30-day filing will be made at a later date in accordance with the requirements of 170 IAC 1-6. Regarding the other Utility Articles, the Commission finds that the requirements of 170 IAC 1-6 have been met and that the Utility Articles attached are hereby approved.

**IT IS SO ORDERED.**

**STEPHAN, HUSTON, WEBER AND ZIEGNER CONCUR; MAYS-MEDLEY ABSENT:**

**APPROVED: JUN 30 2015**

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

*Brenda A. Howe*  
\_\_\_\_\_  
Brenda A. Howe

**Secretary to the Commission**



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MEMORANDUM

TO: Commission Chair Carol A. Stephan  
Commissioners Ziegner, Mays-Medley, Weber, and Huston

FROM: Commission Technical Divisions

DATE: June 26, 2015

RE: 30-Day Utility Articles for Conference on *TUESDAY, June 30, 2015, 2015 @ 2:00 p.m.*

The following thirty-day filings have been submitted to the Commission. Each item was reviewed by the appropriate Commission Technical Divisions and all regulations were met in accordance with 170 IAC 1-6 Thirty-Day Administrative Filing Procedures and Guidelines. Therefore, the following filings listed below and attached hereto are recommended to be considered by the Commission at the next conference:

| <u>Attachment<br/>Number</u> | <u>30-Day<br/>Filing No.</u> | <u>Name of Utility Company</u>           | <u>Type of Request</u>  | <u>Date<br/>Received</u> |
|------------------------------|------------------------------|--|---|--------------------------|
| 1                            | 3358                         | Tipton Municipal Electric Utility        | 3 <sup>rd</sup> Quarter Purchase Power<br>Cost Tracker Factor | 05/29/2015               |
| 2                            | 3367                         | Communications Corporation of<br>Indiana | Request for Emergency<br>Approval of Rates                    | 06/18/2015               |

Submitted By: *Bradley K. Borum*  
Director, Electric Division



**Filing Party:** Tipton Municipal Electric Utility  
**30-Day Filing ID No.:** 3358  
**Date Filed:** May 29, 2015  
**Filed Pursuant To:** Commission Order No. 36835-S3, dated December 13, 1989  
**Request:** A revision to Power Cost Adjustment Tracking Factors to be applied in July, August, and September 2015.  
**Customer Impact:** See below.

| <i>Rate Schedule</i> | <i>Metric</i> | <i>Change</i> | <i>Resultant</i> |
|----------------------|---------------|---------------|------------------|
| Rate A               | \$/kWh        | (0.000912)    | 0.036155         |
| Rate B               | \$/kWh        | (0.000341)    | 0.038349         |
| Rate C               | \$/kWh        | (0.000531)    | 0.039772         |
| Rate D               | \$/kWh        | (0.002363)    | 0.032639         |

**Tariff Page(s) Affected:** Appendix A  
**Staff Recommendations:** Requirements met. Recommend approval.

Submitted By: Pamela D. Taber *PDT*  
Director, Communications Division

**Filing Party:** Communications Corporation of Indiana (CCI)  
**30-Day Filing ID No.:** 3367  
**Date Filed:** June 18, 2015; amended on June 22  
**Filed Pursuant To:** IC 8-1-2-88.6; 170 IAC 1-6; IURC Cause No. 44004; and the FCC's *USF/ICC Transformation Order*.<sup>1</sup>

**Request:** The purpose of the June 18 filing is "to establish a complete baseline intrastate access tariff." CCI requested an approval date of July 1, 2015. "The Company intends to concur in the John Staurulakis, Inc. (JSI) Interstate Access Tariff F.C.C. No. 1 with [intrastate] exceptions. Effective with the approval of the new Intrastate Access Tariff No. 6, the Company will no longer concur in the West Point Telephone Company's Intrastate Access Tariff No. 1"

On June 22, CCI amended its tariff filing to request "that the Commission, as allowed under Indiana Code 8-1-2-113, issue an emergency order to temporarily approve the CCI intrastate access tariff in less than 30 days, pending final approval by the Commission after at least 30 days have passed from the June 18 filing date."

CCI explained that it was not possible to meet the 30-day review requirement. JSI had to compile interstate rate information for several other companies, and information could not be obtained for CCI's Indiana filing prior to June 16, the date on which JSI filed its interstate tariff with the FCC.

**Retail Customer Impact:** N/A

**Tariff Page(s) Affected:** Tariff I.U.R.C. No. 6 – Original Page 1 through Original Page 3; Original Pages CS 1 through CS 36.

**Staff Recommendations:** Pursuant to FCC requirements, CCI's tariffed intrastate (IURC) terminating switched end office and reciprocal compensation rates must take effect the same day as their interstate (FCC) counterparts.<sup>2</sup> The JSI tariff is expected to become effective July 1.

Given the June 18 filing date, CCI's July 1 requested effective date creates a conflict with IC 8-1-2-42(a), which precludes approval of rates and charges for a public utility, without 30 days' prior notice, unless the Commission "approves an order prescribing a different time frame." The earliest approval date for this filing would be July 18, in the absence of such an order.

Continued . . .

<sup>1</sup> *Connect America Fund et al.*, WC Docket No. 10-90 et al., *Report and Order and Further Notice of Proposed Rulemaking* (FCC 11-161, rel. Nov. 18, 2011) [hereinafter *USF/ICC Transformation Order*].

<sup>2</sup> 47 CFR 51.909(e). See, also, *USF/ICC Transformation Order*, at para. 801 & Figure 9.

**Staff Recommendations  
Continued:**

Under IC 8-1-2-113(a), if the Commission “judges” that an emergency exists, and that it is “necessary to prevent injury to the business or interests of ... any public utility” in the state, it may temporarily alter or amend (or, suspend, with the consent of the utility) any public utility’s rates.

Requirements in 170 IAC 1-6, IURC Cause No. 44004, and IC 8-1-2-113 were met. Staff recommends that the Commission do the following, pursuant to IC 8-1-2-113: (1) judge that an emergency exists; and (2) grant CCI’s request for emergency approval of the new intrastate access rates and charges for Communications Corporation of Indiana on a temporary basis. Staff will resubmit the June 18 filing for a final vote to occur on or after July 18, 2015.