

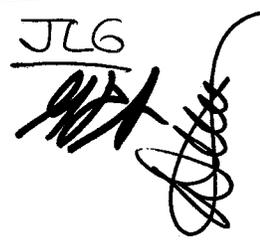
ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

Notice of Proposed Rulemaking

IURC RM #09-02  
LSA #09-212

  
JLG  


The Indiana Utility Regulatory Commission (the "Commission"), pursuant to IC 8-1-1-3(g) and IC 8-1-2.6-4.1(b), hereby proposes to amend 170 IAC 1-1.5-1 to exempt an application for a certificate of territorial authority for communications service providers or notice of change form filed under IC 8-1-32.5 from the ex parte rules of the Commission. The Commission shall hear public comments on the attached proposed rule at a date and time to be determined, in Suite 220, of the National City Center, 101 W. Washington Street, Indianapolis, Indiana.

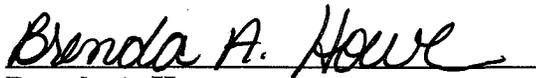
The Secretary of the Commission is hereby directed to maintain five (5) copies of the proposed rule continuously on file in the Commission Offices for public inspection, and forward copies of the attached proposed rule to the Indiana Legislative Services Agency for publication in the Indiana Register.

**IT IS SO ORDERED.**

**HARDY, GOLC, LANDIS, SERVER AND ZIEGNER CONCUR:**

**APPROVED: MAY 13 2009**

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



**Brenda A. Howe**  
**Secretary to the Commission**

# TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

## Proposed Rule LSA Document #09-212

### DIGEST

Amends 170 IAC 1-1.5-1 to exempt an application for a certificate of territorial authority for communications service providers or notice of change form filed under IC 8-1-32.5 from the ex parte rules of the commission. Effective 30 days after filing with the Publisher.

#### 170 IAC 1-1.5-1

SECTION 1. 170 IAC 1-1.5-1 IS AMENDED TO READ AS FOLLOWS:

#### 170 IAC 1-1.5-1 Definitions

**Authority: IC 8-1-1-3**

**Affected: IC 8-1-1-5; IC 8-1-2-42; IC 8-1-2-61.5; IC 8-1-34**

Sec. 1. (a) The definitions in this section apply throughout this rule.

(b) "Commission" refers to the Indiana utility regulatory commission.

(c) "To file a report" means written testimony filed by or oral testimony presented by, or both, a technical employee in a pending proceeding.

(d) "Proceeding" means a formally docketed proceeding before the commission. The term does not include any of the following:

- (1) A rulemaking.
- (2) A thirty (30) day filing under IC 8-1-2-42(a).
- (3) A filing under IC 8-1-2-61.5(a).
- (4) A petition under 170 IAC 7-4.
- (5) An informal investigation.
- (6) An investigation and disposition by the consumer affairs division of the commission.
- (7) An application or notice of change form filed under IC 8-1-32.5.**
- (7) (8) An application or notice of change form filed under IC 8-1-34.**

(e) "Technical employee" means an employee within one (1) of the commission's technical divisions. (*Indiana Utility Regulatory Commission; 170 IAC 1-1.5-1; filed Dec 9, 1996, 10:00 a.m.: 20 IR 938; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; filed May 24, 2007, 4:15 p.m.: 20070620-IR-170060514FRA; filed Dec 3, 2007, 10:30 a.m.: 20080102-IR-170070379FRA*)