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# SENATE BILL No. 132

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-1-30.5.

**Synopsis:** Water utility resource data. Requires each water utility that provides water service in Indiana to annually submit to the Indiana utility regulatory commission (IURC) a report on the utility's: (1) operations; and (2) use of water resources; in providing water service to the utility's Indiana customers. Allows the IURC to prescribe the process, deadlines, and other requirements for submitting the annual reports, but requires the IURC to collect certain information concerning each water utility's utility plant in service and use of water resources in Indiana. Requires the IURC to include a summary of the data and information contained in the reports in: (1) an annual report to the legislative council; and (2) the commission's annual report on the water and wastewater industries provided to the regulatory flexibility committee. Authorizes the IURC to adopt rules to implement the reporting requirements.

**Effective:** Upon passage.

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January 4, 2012, read first time and referred to Committee on Energy and Environmental Affairs.

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Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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## SENATE BILL No. 132



A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 8-1-30.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]:

4 **Chapter 30.5. Water Utility Resource Data**

5 **Sec. 1. As used in this chapter, "commission" refers to the**  
6 **Indiana utility regulatory commission created by IC 8-1-1-2.**

7 **Sec. 2. As used in this chapter, "water utility" means:**

- 8 (1) a public utility (as defined in IC 8-1-2-1(a));
- 9 (2) a municipally owned utility (as defined in IC 8-1-2-1(h));
- 10 (3) a not-for-profit utility (as defined in IC 8-1-2-125(a));
- 11 (4) a cooperatively owned corporation;
- 12 (5) a conservancy district established under IC 14-33; or
- 13 (6) a regional water district established under IC 13-26;

14 that provides water service to the public in Indiana, regardless of  
15 whether the entity described in subdivisions (1) through (6) is  
16 under the jurisdiction of the commission.

17 **Sec. 3. (a) For each calendar year, beginning with the calendar**



1 year ending December 31, 2012, each water utility shall submit to  
 2 the commission, on a form or in the manner prescribed by the  
 3 commission, a report on the water utility's:

4 (1) operations; and

5 (2) use of water resources;

6 in providing water service to the water utility's Indiana customers.

7 (b) The commission shall prescribe the form of the report and  
 8 the process, deadlines, and other requirements for submitting the  
 9 report required under this section. However, the commission shall  
 10 collect, at a minimum, the following information for each water  
 11 utility with respect to the calendar year for which a particular  
 12 report is submitted:

13 (1) The number of Indiana customers served by the water  
 14 utility.

15 (2) A description of the water utility's service territory in  
 16 Indiana.

17 (3) The total utility plant in service with respect to the water  
 18 utility's Indiana customers.

19 (4) The water utility's total annual expenditures for the  
 20 operation and maintenance of the total utility plant in service  
 21 with respect to the water utility's Indiana customers.

22 (5) The amount and location of the water resources used by  
 23 the water utility to provide water service to the water utility's  
 24 Indiana customers.

25 (6) The availability and location of additional water resources  
 26 that could be used, if necessary, by the water utility to provide  
 27 water service to Indiana customers.

28 (7) Any other information or data the commission considers  
 29 appropriate.

30 (c) Upon receiving the annual reports required under this  
 31 section, the commission shall compile and organize the data and  
 32 information contained in the reports. The commission shall include  
 33 a summary of the data and information contained in the reports in:

34 (1) an annual report to be submitted by the commission to the  
 35 legislative council not later than November 1 of each year;  
 36 and

37 (2) the commission's annual report on the water and  
 38 wastewater industries provided to the regulatory flexibility  
 39 committee established by IC 8-1-2.6-4.

40 The annual report to the legislative council required by subdivision  
 41 (1) must be in an electronic format under IC 5-14-6.

42 Sec. 4. (a) Subject to subsection (b), the commission may adopt

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1 rules under IC 4-22-2, including emergency rules under  
2 IC 4-22-2-37.1, to implement this chapter. An emergency rule  
3 adopted by the commission under IC 4-22-2-37.1 expires on the  
4 date a rule that supersedes the emergency rule is adopted by the  
5 commission under IC 4-22-2-24 through IC 4-22-2-36.

6 (b) Any emergency rules adopted by the commission under  
7 subsection (a) must take effect by a date that enables a water utility  
8 subject to this chapter to comply with the requirements of this  
9 chapter with respect to the calendar year ending December 31,  
10 2012.

11 SECTION 2. An emergency is declared for this act.

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