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**TITLE 170 INDIANA UTILITY REGULATORY COMMISSION**

**Final Rule**

LSA Document #09-212(F)

**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](#)

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](#); filed Sep 29, 2009, 3:49 p.m.: [20091028-IR-170090212FRA](#))*

LSA Document #09-212(F)

Notice of Intent: [20090408-IR-170090212NIA](#)

Proposed Rule: [20090527-IR-170090212PRA](#)

Hearing Held: June 22, 2009

Approved by Attorney General: September 15, 2009

Approved by Governor: September 24, 2009

Filed with Publisher: September 29, 2009, 3:49 p.m.

Documents Incorporated by Reference: None Received by Publisher

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Posted: 10/28/2009 by Legislative Services Agency

