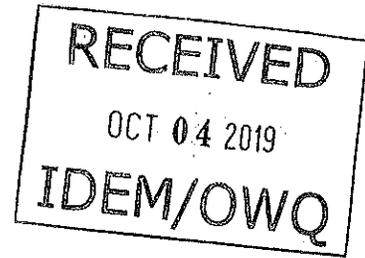


STATE OF INDIANA)
)
COUNTY OF MARION)

BEFORE THE INDIANA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF:

PETITION OF WHITLEY COUNTY, INDIANA)
FOR AN ORDER ESTABLISHING THE)
WHITLEY COUNTY REGIONAL WATER)
AND SEWER DISTRICT PURSUANT TO IC § 13-26)



PETITION FOR ADDITIONAL TIME TO FILE A DISTRICT PLAN

COMES NOW the Whitley County Regional Water and Sewer District (“Whitley County RWSD”), and hereby files their request for additional time to file their District Plan pursuant to Indiana Code § 13-26-1-2, and in support thereof states the following:

1. By Order dated September 12, 2018, the Whitley County RWSD was formed.
2. Pursuant to Indiana Code § 13-26-1-2, the District’s board hereby requests additional time to file the District Plan.
3. The Whitley County RWSD's District Plan was supposed to be submitted by June 12, 2019 (9 months after the establishment of the District). As of the date of this Petition, the Whitley County RWSD is several months past due in filing the District Plan. However, it only recently came to undersigned’s attention that the Whitley County RWSD’s District Plan was not previously filed.
4. During the course of the summer of 2019, the Whitley County RWSD terminated the relationship it had with the consulting firm who had previously prepared and filed the Petition as well as other filings required by the Indiana Department of Environmental Management for the establishment of the District. Along with the consultant, the engineer for the district was also terminated as he worked for the same consulting firm. These individuals were terminated as the cost of the services that they were contracted for had greatly exceeded the

deliverables that they had produced as of the date of the termination. Further, these individuals were terminated because they had not been able to get Interlocal Agreements ("Agreements") finalized with the proposed treatment providers in a timely manner which caused all Whitley County RWSD projects to be delayed.

5. As of the date of this Petition, Whitley County RWSD is in the process of negotiating three separate Agreements with municipalities and/or other utilities for the handling and treatment of the sewage of the District. Until such time as those Agreements can be finalized and approved by both the municipalities as well as the Board of the Whitley County RWSD, the District is not in a position to financially assess which projects are viable economically and as a result make financial sense to move forward.

6. As a result, the Whitley County RWSD has been focused on negotiating those Agreements and was not aware that the previously terminated management firm had not yet filed the District Plan.

7. The Whitley County RWSD is hoping to have Agreements in place by the end of the year. Those negotiations have been slower than anticipated because one of the municipalities has had issues that they needed to resolve prior to fully engaging with the District. Further, the Whitley County RWSD hopes to have a new engineering firm hired by the beginning of the new year. After those two steps are completed, the Whitley County RSD will be in a position to file their District Plan.

8. The Whitley County RWSD would respectfully request that an extension of time be granted allowing the District up to and including June 12, 2020, to file their District Plan and for all other relief just and proper in the Premises.

WHEREFORE, Petitioners, hereby would request the Court grant an extension of time of one (1) year, and for all other just and proper relief in the premises.

Dated this 2nd day of October, 2019.



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