



**ETHICS DISCLOSURE STATEMENT  
CONFLICTS OF INTEREST – DECISIONS AND VOTING**  
State Form 65860 (R / 10-15)  
OFFICE OF THE INSPECTOR GENERAL  
IC 4-2-6-9

INDIANA  
STATE ETHICS COMMISSION  
  
JUL 8 2016  
  
FILED

In accordance with IC 4-2-6-9, you must file your disclosure with the State Ethics Commission no later than seven (7) days after the conduct that gives rise to the conflict. You must also include a copy of the notification provided to your agency appointing authority and ethics officer when filing this disclosure. This disclosure will be posted on the Inspector General's website.

Name (last) Warren	Name (first) Benjamin	Name (middle)
Name of office or agency Indiana Underground Plant Protection Advisory Committee		Job title Committee Chair
Address of office (number and street) 1433 Holey Moley Way		City Greenwood
Office telephone number ( 317 ) 927-4622		ZIP code 46142
Office e-mail address (required) bwarren@citizensenergygroup.com		

Describe the conflict of interest:  
I am a member of the Underground Plant Protection Advisory Committee (Advisory Committee). By statute, I am appointed by the Governor and therefore, I am considered a "state appointee" for purposes of Ind. code 4-2-6-9. The Advisory Committee recommends penalties for excavation damage cases under Ind. code chapter 8-1-26. As per a formal advisory opinion of the Indiana State Ethics Commission, my participation in recommending a penalty constitutes a "decision or vote" for purposes of the conflict of interest rule.

The majority of excavation damage cases have an operator and excavator as parties to the case. I work for Citizens Energy Group, a gas operator. Therefore, a conflict of interest would arise if I were to participate in a "decision or vote" in a case in which Citizens Energy Group is a named party.

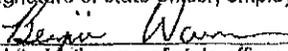
Describe the screen established by your ethics officer: (Attach additional pages as needed.)

Whenever Citizens Energy Group is a named part to a case, I will abstain from the penalty recommendation pursuant to the Advisory Committee's Bylaws. I will not comment on the case and I will abstain from the discussion and recommendation. My abstention will be recorded on the Case Recommendation Form.

**AFFIRMATION**

Your signature below affirms that your disclosures on this form are true, complete, and correct to the best of your knowledge and belief. In addition to this form, you have attached a copy of your written disclosure to your agency appointing authority and ethics officer.

Signature of state officer, employee or special state appointee



Date signed (month, day, year)

7-7-16

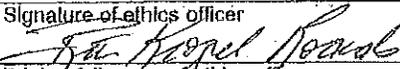
Printed full name of state officer, employee or special state appointee

Benjamin Warren

**FOR ETHICS OFFICER USE ONLY**

Your signature below affirms that you have reviewed this disclosure form and that it is true, complete, and correct to the best of your knowledge and belief. You also attest that your agency has implemented the screen described above.

Signature of ethics officer



Date signed (month, day, year)

7/7/2016

Printed full name of ethics officer

Beth Krogel Roads

## Cooper, Jennifer

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**From:** Cooper, Jennifer  
**Sent:** Friday, July 08, 2016 3:17 PM  
**To:** Cooper, Jennifer  
**Subject:** RE: Notification re: UPPAC Members Possible Conflicts of Interest

**From:** Roads, Beth Krogel  
**Sent:** Friday, July 08, 2016 1:55 PM  
**To:** Ahearn, Mark <[MAhearn@gov.IN.gov](mailto:MAhearn@gov.IN.gov)>  
**Cc:** Atterholt, Jim <[jatterholt@gov.IN.gov](mailto:jatterholt@gov.IN.gov)>; McGrath, Danielle <[DMcGrath@gov.IN.gov](mailto:DMcGrath@gov.IN.gov)>; Schmidt, Daniel W <[DSchmidt@gov.IN.gov](mailto:DSchmidt@gov.IN.gov)>; Stephan, Carol <[CStephan@urc.IN.gov](mailto:CStephan@urc.IN.gov)>; Mosley, Chetrice <[CIMosley@urc.IN.gov](mailto:CIMosley@urc.IN.gov)>; Poon, DeAnna <[DPoon@urc.IN.gov](mailto:DPoon@urc.IN.gov)>  
**Subject:** Notification re: UPPAC Members Possible Conflicts of Interest

Dear Governor Michael R. Pence:

The Underground Plant Protection Advisory Committee (UPPAC) provides penalty recommendations to the Indiana Utility Regulatory Commission (IURC) regarding findings of violations of the excavation damages statute, Indiana Code chapter 8-1-26. UPPAC members are Governor appointees, who are required by statute to be representatives of various stakeholders in this process, including utility and excavation companies who are often parties in excavation damages cases. In compliance with Indiana Code § 4-2-6-9, UPPAC members who are employees of a party in a case have abstained from the discussion and voting on penalty recommendations that could involve their employer. On June 9, 2016, the Indiana State Ethics Commission issued a formal advisory opinion (attached) indicating that UPPAC members in this situation need to submit a conflict of interest disclosure statement on at least an annual basis, indicating the possible conflict regarding their employer and the screening process in place that requires UPPAC members to abstain from the discussion and vote on any penalty recommendation involving their employer.

In your role as the appointing authority for UPPAC and in my role as the Ethics Officer for UPPAC, please consider this email your official notification from UPPAC members Ralph Miller, Mark Ritter, Luke Selking, Scott Sontag, Blaine Walters, and Ben Warren, as required by Indiana Code § 4-2-6-9, of these possible conflicts of interest, with the attached disclosure statements, and the ongoing screening process of abstaining from any discussion or vote regarding penalty recommendations involving their employers.

Please have your staff contact me if you have any questions or if you require any additional information.

Thank you.

Beth Krogel Roads  
General Counsel  
Indiana Utility Regulatory Commission  
101 W. Washington St., Suite 1500 East  
Indianapolis, IN 46204  
Direct line: (317) 232-2092  
Fax #: (317) 232-6758  
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