



May 18, 2018

**Via Electronic Filing**

Ms. Mary Becerra  
Secretary of the Commission  
Indiana Utility Regulatory Commission  
101 West Washington Street  
Suite 1500 East  
Indianapolis, Indiana 46204

**RE:   Aqua Indiana, Inc.'s 30-Day Filing Pursuant to 170 IAC 1-6-1 et seq.  
Cause No. 45032**

Dear Ms. Becerra:

Pursuant to and necessitated by the Indiana Utility Regulatory Commission's (the "Commission") February 16, 2018 Order in Cause No. 45032, Aqua Indiana, Inc. ("Aqua Indiana" or the "Company") hereby submits for Commission approval a proposed change to its Rules, Regulations and Conditions of Water Service ("Water Rules") and a proposed change to its Rules, Regulations and Conditions of Sewer Service ("Sewer Rules"), each reflecting language to implement main extension cost option 2. As set forth in the Commission's February 16, 2018 Order, pursuant to 170 IAC 1-6-3(8), this submission is being made in accordance with 170 IAC 1-6, the Commission's Thirty-Day Administrative Filing Procedures and Guidelines Rule.

On March 26, 2018, Aqua Indiana made Thirty Day Filings for the following nine divisions, in which each division requested Commission approval of the implementation of main extension cost option 2:

- Darlington, # 50137
- Southern Hills, # 50141
- Wedgewood Park, #50142
- Wildwood Shores, #50143
- Wymberly, # 50144
- Aboite Wastewater, # 50145
- Lake County (Sewer), # 50146
- Lake County (Water), # 50147
- White Oak, # 50148

The purpose of Aqua Indiana's present filing is to request (i) Commission approval of revised language in the Water Rules for the Darlington, Wedgewood Park, and Lake County (Water), Divisions; and (ii) Commission approval of revised language in the Sewer Rules for the

Southern Hills, Wildwood Shores, Wymberly, Aboite Wastewater, Lake County (Sewer), and White Oak Divisions.

In support of this filing, attached hereto as Exhibit 1 is a clean version of the revisions to Page 35 of the Water Rules, and Exhibit 2 is a redline version thereof. Attached hereto as Exhibit 3 is a clean version of the revisions to Page 29 of the Sewer Rules, and Exhibit 4 is a redline version thereof. A verified statement by Aqua Indiana affirming that customers have been notified as required by 170 IAC 1-6-5(a)(5), stating in detail the means used for notification, and copies of any written means of communication are attached hereto as Exhibit 5. By copy of this letter, the Indiana Office of Utility Consumer Counselor is being provided with a copy of this filing.

In accordance with 170 IAC 1-6-5(a)(2), contact information for the utility regarding this filing is as follows:

Bobby D. Estep  
Controller  
Aqua Indiana, Inc.  
14421 Illinois Road  
Fort Wayne, Indiana 46814  
(260) 625-4700  
[BDestep@aquaamerica.com](mailto:BDestep@aquaamerica.com)

Mark R. Alson (Atty No. 27724-64)  
Ice Miller LLP  
One American Square, Suite 2900  
Indianapolis, Indiana 46282  
(317) 236-2263  
[mark.alson@icemiller.com](mailto:mark.alson@icemiller.com)

Please let me know if the Commission Staff has any questions or concerns about this submission.

Sincerely,



Bobby D. Estep  
Controller  
Aqua Indiana, Inc.

Encl.

cc: (w/ encl. – via email transmission)  
Tiffany Murray, Office of Utility Consumer Counselor  
([timurray@oucc.in.gov](mailto:timurray@oucc.in.gov), [infomgt@oucc.in.gov](mailto:infomgt@oucc.in.gov))

# Exhibit 1

determined. If the actual cost of the extension exceeds the estimated cost, then the utility shall bill the original depositor for, and such depositor shall pay, the difference between the estimated cost and the actual cost.

#### 7.7 Cost per lot

The cost per lot shall be determined by:

- 7.7.1 The total number of lots to be served by the main extension divided into the cost of the main extension; or
- 7.7.2 The cost of the main extension shall be divided proportionately on the basis of respective lot frontage for all lots to be served by the main extension.

#### 7.8 Main Extension Cost

For the main extension, the applicant shall be required to pay the cost of the main extension exclusive of the tax associated with the main extension, and the applicant shall receive refunds as provided in Section 7.11.

#### 7.9 Total required deposit

- 7.9.1 In the case of a commercial or industrial real estate development, immediate revenue allowance may not be deducted from the cost of the main extension in determining the amount of the total required deposit, except where building construction has commenced and pertinent data, such as customer types, service pipe, metering arrangements, and water demands, have been furnished to the Company, to allow the Company to determine the estimated annual revenue from that development.
- 7.9.2 The main extension may be installed by the developer or the developer's contractor according to the extension and installation policies of the Company, and the actual cost of the developer-installed extension (including cost of easements) shall be considered the total required deposit.
- 7.9.3 The original depositors may allocate the total required deposit on the basis of the number of lots, the respective lot frontage, or any other basis mutually acceptable to the original depositors.

# Exhibit 2

determined. If the actual cost of the extension exceeds the estimated cost, then the utility shall bill the original depositor for, and such depositor shall pay, the difference between the estimated cost and the actual cost.

#### 7.7 Cost per lot

The cost per lot shall be determined by:

- 7.7.1 The total number of lots to be served by the main extension divided into the cost of the main extension; or
- 7.7.2 The cost of the main extension shall be divided proportionately on the basis of respective lot frontage for all lots to be served by the main extension.

#### 7.8 Main Extension Cost ~~options~~

For the main extension, the ~~original depositor shall be allowed the option of paying the cost of the main extension and full gross up state and federal taxes associated with the cost of the main extension, and receiving rights to immediate revenue allowances and refunds as provides in section 7.11 of this rule, or paying applicant shall be required to pay~~ the cost of the main extension exclusive of the tax associated with the main extension, and ~~forfeiting all rights to immediate revenue allowances and to the applicant shall receive~~ refunds, ~~except for subsequent connector's fees as provided in Section 7.11.~~

#### 7.9 Total required deposit

- 7.9.1 In the case of a commercial or industrial real estate development, immediate revenue allowance may not be deducted from the cost of the main extension in determining the amount of the total required deposit, except where building construction has commenced and pertinent data, such as customer types, service pipe, metering arrangements, and water demands, have been furnished to the Company, to allow the Company to determine the estimated annual revenue from that development.
- 7.9.2 The main extension may be installed by the developer or the developer's contractor according to the extension and installation policies of the Company, and the actual cost of the developer-installed extension (including cost of easements) shall be considered the total required deposit.
- 7.9.3 The original depositors may allocate the total required deposit on the basis of the number of lots, the respective lot frontage, or any other basis mutually acceptable to the original depositors.

# Exhibit 3

5.8 Main Extension Cost

For the main extension, the applicant shall be allowed to pay the cost of the main extension exclusive of the tax associated with the main extension, and the applicant shall receive refunds as provided in Section 5.11.

5.9 Total required deposit

5.9.1 In the case of a commercial or industrial real estate development, immediate revenue allowance may not be deducted from the cost of the main extension in determining the amount of the total required deposit, except where building construction has commenced and pertinent data, such as customer types, service pipe, metering arrangements, and sewer demands, have been furnished to the Company, to allow the Company to determine the estimated annual revenue from that development.

5.9.2 The main extension may be installed by the developer or the developer's contractor according to the extension and installation policies of the Company, and the actual cost of the developer-installed extension shall be considered the total required deposit (including cost of easements).

5.9.3 The original depositors may allocate the total required deposit on the basis of the number of lots, the respective lot frontage, or any other basis mutually acceptable to the original depositors.

5.10 Subsequent connector fee

5.10.1 Within ten (10) years after the completion date of the main extension, the Company shall not permit a subsequent connector to connect to a main extension until after the subsequent connector has paid the required subsequent connector's fee to the Company.

5.10.2 Applicants for service connections for lots in subdivision and tract developments which are included in the original depositor's main extension agreement are not required to pay a subsequent connector's fee, unless otherwise specifically provided for in the main extension agreement.

5.10.3 If a prospective customer with frontage land that was unplatte on one (1) or both sides of the street at the time a main extension was installed later subdivides this frontage prior to the expiration of the ten (10) years after the completion date of the main extension in such a manner that some or all lots will not require service directly from the main extension, the customer is considered to have requested another extension from the original main extension to serve the customer's land. The Company in that case shall collect from the prospective customer prior to installing the requested second

# Exhibit 4

5.8 Main Extension Cost Options

For the main extension, the ~~original depositor~~applicant shall be allowed ~~the option of paying the cost of the main extension and full gross up state and federal taxes associated with the cost of the main extension, and receiving rights to immediate revenue allowances and refunds as provides in section 5.11 of this rule, or paying to pay~~ the cost of the main extension exclusive of the tax associated with the main extension, and ~~forfeiting all rights to immediate revenue allowances and to the applicant shall receive~~ refunds, ~~except for subsequent connector's fees as provided in Section 5.11.~~

5.9 Total required deposit

5.9.1 In the case of a commercial or industrial real estate development, immediate revenue allowance may not be deducted from the cost of the main extension in determining the amount of the total required deposit, except where building construction has commenced and pertinent data, such as customer types, service pipe, metering arrangements, and sewer demands, have been furnished to the Company, to allow the Company to determine the estimated annual revenue from that development.

5.9.2 The main extension may be installed by the developer or the developer's contractor according to the extension and installation policies of the Company, and the actual cost of the developer-installed extension shall be considered the total required deposit (including cost of easements).

5.9.3 The original depositors may allocate the total required deposit on the basis of the number of lots, the respective lot frontage, or any other basis mutually acceptable to the original depositors.

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5.10.2 Applicants for service connections for lots in subdivision and tract developments which are included in the original depositor's main extension agreement are not required to pay a subsequent connector's fee, unless otherwise specifically provided for in the main extension agreement.

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# Exhibit 5



## VERIFIED STATEMENT IN SUPPORT OF 30-DAY FILING

TO THE INDIANA UTILITY REGULATORY COMMISSION

- Aqua Indiana, Inc. ("Aqua Indiana") is requesting Commission approval of proposed language in its Rules, Regulations and Conditions of Water Service and in its Rules, Regulations and Conditions of Sewer Service. Notice has been provided to affected customers in accordance with 170 IAC 1-6-6.
- Specifically, beginning on May 18, 2018, and continuing through the filing date, a Legal Notice will be posted on Aqua Indiana's website at <https://www.aquaamerica.com/our-states/indiana.aspx>. Aqua Indiana posted a Legal Notice in a public place at its local customer service offices in Allen County, Indiana.
- A Legal Notice is being published in the Journal Gazette on May 18, 2018.
- A copy of the above-referenced legal notice is attached as Exhibit A.

I affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information and belief.

Dated this 18<sup>th</sup> day of May, 2018.

A handwritten signature in blue ink that reads "Bobby D. Estep".

Bobby D. Estep, Controller  
Aqua Indiana, Inc.

# Exhibit A

**Aqua Indiana, Inc.**  
**Legal Notice of 30-Day Filing**

PUBLIC NOTICE is hereby given that on or about May 18, 2018, Aqua Indiana, Inc. (“Aqua Indiana” or the “Company”) will submit a proposed change to its Rules, Regulations and Conditions of Water Service (“Water Rules”) and a proposed change to its Rules, Regulations and Conditions of Sewer Service (“Sewer Rules”) to the Indiana Utility Regulatory Commission (“Commission”) for approval under its 30-Day Filing procedures, 170 IAC 1-6-1, *et seq.* The referenced filing will affect Aqua Indiana customers to the extent they apply for a main extension in order to receive water or sewer utility service from the Company. The Company will seek Commission approval of changes to its Water Rules and Sewer Rules which, if approved would allow a main extension applicant to pay the cost of the main extension exclusive of the tax associated with the main extension.

A copy of the proposed changes to the Water Rules and Sewer Rules will be on file with the Commission on or about May 18, 2018. A decision on the 30-Day Filing is anticipated at least thirty days after May 18, 2018. Any objection to the filing should be directed to (a) the Secretary of the Indiana Utility Regulatory Commission, PNC Center, 101 West Washington Street, Suite 1500 East, Indianapolis, Indiana 46204 or (b) the Indiana Office of Utility Consumer Counselor, PNC Center, 115 West Washington Street, Suite 1500 South, Indianapolis, Indiana 46204.