



H. J. Umbaugh & Associates
Certified Public Accountants, LLP
925 Dora Lane
Suite 1
P.O. Box 697
Plymouth, IN 46563-0697
Phone: 574-935-5178
Fax: 574-935-5928
www.umbaugh.com

September 4, 2012

RECEIVED

SEP 06 2012

INDIANA UTILITY
REGULATORY COMMISSION

Mr. E. Curtis Gassert
Director Water/Wastewater Division
Indiana Utility Regulatory Commission
101 West Washington Street, Suite 1500 East
Indianapolis, Indiana 46204-3419

RE: Portland (Indiana) Municipal Sewage Works – Outside User Rate Petition

Dear Mr. Gassert:

On behalf of the City of Portland, please find the Petition for Approval of Rate and Charge Difference Between Property Within and Property Outside the Corporate Boundaries of the City. If at any time you have any questions or need additional information, please feel free to contact myself or Mr. William W. Hinkle, City Attorney.

Very truly yours,

UMBAUGH

Jeffrey P. Rowe

JPR/jf

Enclosure: Petition

cc: Ms. Michele Pensinger, Clerk-Treasurer
Mr. William W. Hinkle, Hinkle, Racster & Lopez

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

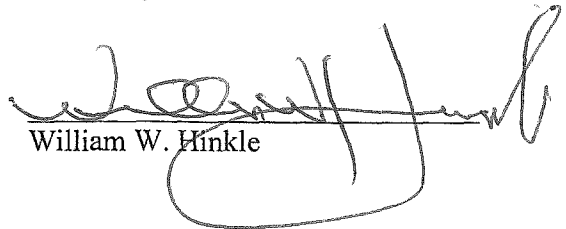
PETITION OF THE CITY OF PORTLAND)
FOR APPROVAL OF RATE AND CHARGE)
DIFFERENCE BETWEEN PROPERTY) CAUSE NO. _____
WITHIN AND PROPERTY OUTSIDE THE)
CORPORATE BOUNDARIES OF PORTLAND)

Pursuant to Indiana Code §8-1.5-3-8.3(c), Petitioner, the City of Portland, Indiana (“Portland”), by counsel, respectfully petitions the Indiana Utility Regulatory Commission (“Commission”) for approval of the rate and charge difference between property within and property outside the corporate boundaries of the City of Portland. In support of its Petition, Petitioner states:

1. The ordinance setting rates and charges for property within and property outside the municipality’s corporate boundaries took effect on April 4, 2011 for the Municipal Sewage Works.
2. Attached as “Exhibit A” is a copy of the ordinance.
3. The works that are the subject of the ordinances are (select one):
 - a. Water utility works _____
 - b. Wastewater utility works X
 - c. Both water and wastewater utility works _____
4. The percentage difference between the rates and charges imposed on users of the works for service to property located outside the corporate boundaries of the municipality and to property located within the corporate boundaries is approximately 36.5% applied to the monthly base rate. The percentage difference to the total sewage bill varies based upon the amount of consumption.

5. If the percentage difference in #4 above varies based upon the amount of consumption, please provide a chart illustrating the various consumption levels in 1,000 gallon increments with the corresponding surcharge and attach to this Petition. See "Exhibit B."
6. William W. Hinkle, Attorney at Law, 121 West High Street, Portland, Indiana, 47371, is counsel of record for Petitioner in this matter and is duly authorized to accept service of papers in this cause on behalf of the Petitioner.

WHEREFORE, The City of Portland, Indiana, requests that the Commission issue an Order approving the percentage rate and charge difference between property within and property outside the corporate boundaries of the City of Portland and for other just and reasonable relief.


William W. Hinkle

Verification

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

Signed: Michele Pensinger
Michele Pensinger, Clerk-Treasurer

Date: 8-29-2012

William W. Hinkle
Hinkle, Racster & Lopez
121 West High Street
Portland, Indiana 47371
Phone: 260-726-8104
Email: wwh@hrlaw.com

PORTLAND (INDIANA) MUNICIPAL SEWAGE WORKS

EXHIBIT A

**CITY OF PORTLAND, INDIANA
AMENDED ORDINANCE 2011-1**

An Ordinance Amending Chapter 50.092 and 50.093 of the Portland Code of Ordinances.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF PORTLAND, JAY COUNTY, INDIANA as follows:

Chapter 50.092, Schedule of Rates and Charges, for metered water users and unmetered water users is hereby amended as follows:

(A) Metered Users. The current rates for metered water users are deleted and the following rates are substituted:

<u>Metered Users</u>	<u>User Rate</u>
Class I (Inside City Limits)	
Treatment rate per 1,000 gallons of usage	\$ 4.29
Plus:	
<u>Base rates-as follows:</u>	
<u>Meter Size</u>	<u>Rate per Month</u>
5/8 inch	\$13.98
3/4 inch	\$18.20
1 inch	\$29.90
1-1/4 inch	\$45.76
1-1/2 inch	\$64.81
2 inch	\$109.27
3 inch	\$247.00
4 inch	\$437.58
6 inch	\$977.73
Class II (Outside City Limits)	
Treatment rate per 1,000 gallons of usage	\$4.29
Plus:	
<u>Base rates-as follows:</u>	
<u>Meter Size</u>	<u>Rate per Month</u>
5/8 inch	\$19.11
3/4 inch	\$24.83
1 inch	\$40.82
1-1/4 inch	\$62.47
1-1/2 inch	\$88.47
2 inch	\$149.11
3 inch	\$337.09
4 inch	\$597.16
6 inch	\$1,334.26

(B) Unmetered Users. The current section (B) Unmetered Water Users is deleted in its entirety and the following section is added: For users of the sewage works that are unmetered water users or if accurate meter readings are not available, the monthly charge shall be based upon 5,000 gallons of water usage and determined by applying the following monthly rate:

Class I (Inside City Limits)	\$35.43
Class II (Outside City Limits)	\$40.56

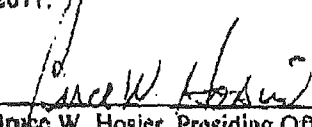
To the equivalency formula as shown below:

	Equivalency	
	Factor	Class I C Class II C
<u>Residential:</u>		
Single Family residence, including mobile homes/ unit	1.00	\$ 35.43 \$40.56
Apartments, condominiums & townhouses/unit	0.75	26.57 30.42
Duplexes/ Unit	0.75	26.57 30.42
<u>Commercial:</u>		
<i>Barber or Beauty shop:</i>		
First 3 employees	1.00	35.43 40.56
Each additional employee	0.25	8.86 10.14
<u>Retail Establishments:</u>		
First 3 employees	1.00	35.43 40.56
Each additional employee	0.25	8.86 10.14
Laundromats & Washeterias/ washer	0.75	26.57 30.42
<u>Grain Elevator:</u>		
First 3 employees	1.00	35.43 40.56
Each additional employee	0.25	8.86 10.14
<u>Motel, rooming houses, bed and breakfast & similar establishments:</u>		
First rental room	1.50	53.15 60.84
Each additional rental room	0.50	17.72 20.28
<u>Restaurants, drive-ins, bars & org. with eating and/or drinking facilities:</u>		
First 2 employees	1.00	35.43 40.56
Each additional employee	0.25	8.86 10.14
<u>Professional offices:</u>		
First 3 employee	1.00	35.43 40.56
Each additional employee	0.25	8.86 10.14
<u>Service stations/auto repair without car wash:</u>		
First 3 employees	1.00	35.43 40.56
Each additional employee	0.25	8.86 10.14
<u>With car wash:</u>		
Per car wash bay	2.50	88.58 101.4
Shop or office in residence	1.00	35.43 40.56
<u>Veterinarians office:</u>		
First 2 employees	1.00	35.43 40.56
Each additional employee	0.333	11.80 13.51
<u>Recreational Areas:</u>		
Campground - per campsite	0.60	21.26 24.34
<u>Institutions:</u>		
Schools per pupil enrolled (5-day school week)	0.10	3.54 4.06

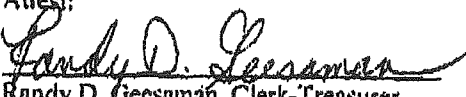
	Equivalency	Class I C	Class II C
	Churches &	Church	Church
<u>Churches & other religious organizations without eating facilities:</u> for each 200 member of fraction thereof	1.00	\$ 35.43	\$40.56
<u>Churches & other religious organizations with eating facilities:</u> for each member	0.02	0.71	0.81
<u>Group homes:</u>			
First 3 employees	1.00	35.43	40.56
Each additional employee	0.25	8.86	10.14
Each resident	0.33	11.80	13.51
<u>Governmental:</u>			
<u>Offices:</u>			
First 3 employees	1.00	35.43	40.56
Each additional employee	0.25	8.86	10.14
<u>Fire department:</u>			
Each truck bay	2.50	88.58	101.4
<u>Industrial:</u>			
<u>Manufacturing:</u>			
First 2 employees	1.00	35.43	40.56
Each additional employee	0.25	8.86	10.14

Chapter 50.093, Determination of Quantity of Water Discharge into Sanitary Sewage Systems, (D) minimum bill for multiple units with single meter is hereby amended to delete \$10.75 and insert \$13.98.

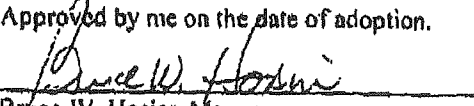
THIS ORDINANCE was duly passed in regular session of the Common Council of the City of Portland, Jay County Indiana, on this 7th day of April, 2011.



 Bruce W. Hosier, Presiding Officer

Attest:


 Randy D. Geesaman, Clerk-Treasurer

Approved by me on the date of adoption.


 Bruce W. Hosier, Mayor

PORTLAND (INDIANA) MUNICIPAL SEWAGE WORKS

EXHIBIT B

PORTLAND (INDIANA) MUNICIPAL SEWAGE WORKS

COMPARISON OF INSIDE AND OUTSIDE USER RATES

<u>Consumption</u>	<u>Inside User (1)</u>	<u>Outside User (1)</u>	<u>Surcharge</u>	<u>% Surcharge</u>
0 gallons	\$13.98	\$19.11	\$5.13	36.70%
1,000 gallons	18.27	23.40	5.13	28.08%
2,000 gallons	22.56	27.69	5.13	22.74%
3,000 gallons	26.85	31.98	5.13	19.11%
4,000 gallons	31.14	36.27	5.13	16.47%
5,000 gallons	35.43	40.56	5.13	14.48%
6,000 gallons	39.72	44.85	5.13	12.92%
7,000 gallons	44.01	49.14	5.13	11.66%
8,000 gallons	48.30	53.43	5.13	10.62%
9,000 gallons	52.59	57.72	5.13	9.75%
10,000 gallons	56.88	62.01	5.13	9.02%

(1) Assumes 5/8 inch meter.