



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

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SEP 28 2012

INDIANA UTILITY  
REGULATORY COMMISSION

September 25, 2012

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

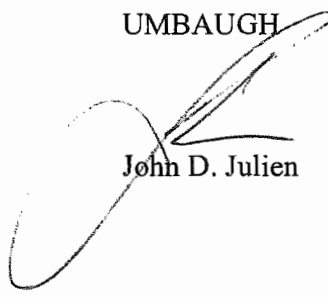
RE: Rensselaer (Indiana) Municipal Water Utility & Municipal Sewage Works –  
Outside User Rate Petition

Dear Mr. Gassert:

On behalf of the City of Rensselaer, 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. Michael Riley, City Attorney.

Very truly yours,

UMBAUGH



John D. Julien

RIC/jb

Enclosure: Petition

cc: The Honorable Steve Wood, Mayor  
Ms. Frieda Bretzinger, Clerk-Treasurer  
Mr. Jerry Lockridge, Sewage Superintendent  
Mr. Michael Riley, Attorney

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION


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

Pursuant to Indiana Code §8-1.5-3-8.3(c), Petitioner, the City of Rensselaer, Indiana (“Rensselaer”), 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 Rensselaer. 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 October 18, 2011 for the Municipal Sewage Works and on April 9, 2012 for the Municipal Water Utility.
2. Attached as “Exhibit A” are copies of the ordinances.
3. The works that are the subject of the ordinances are (select one):
  - a. Water utility works \_\_\_\_\_
  - b. Wastewater utility works \_\_\_\_\_
  - c. Both water and wastewater utility works  X
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 25%.


5. If the percentage difference in #4 above varies based upon the amount of consumption, please provide a charge illustrating the various consumption levels in 1,000 gallon increments with the corresponding surcharge and attach to this Petition. N/A
  
6. Michael Riley, Attorney at Law, 122 West Washington Street, Rensselaer, Indiana, 47978, 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.

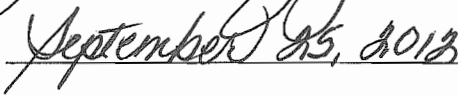
WHEREFORE, the City of Rensselaer, Indiana, requests that the Commission issue an Order approving the percentage rate and charge difference between property within and property outside the corporate boundaries of the City of Rensselaer and for other just and reasonable relief.

  
\_\_\_\_\_  
Michael Riley, Attorney at Law

**Verification**

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

Signed:   
\_\_\_\_\_  
Frieda Bretzinger, Clerk-Treasurer

Date:   
\_\_\_\_\_  
September 25, 2013

Michael Riley, Attorney at Law  
Riley and Arnold  
122 West Washington Street  
Rensselaer, Indiana, 47978-2820  
Phone: (219) 866-3435  
Email: mike@rileyandarnold.com

**RENSELAER (INDIANA) MUNICIPAL UTILITIES**

**EXHIBIT A**

**ORDINANCE NO. 15-2011**

**AN ORDINANCE ESTABLISHING A SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE CITY OF RENSSELAER FROM THE OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF SAID CITY AND OTHER MATTERS CONNECTED THEREWITH.**

WHEREAS, the City has heretofore constructed and has in operation sewage works for the purpose of collecting and disposing of the sewage of the City in a sanitary manner; and

WHEREAS, it is necessary to establish a new schedule of rates and charges so as to produce sufficient revenue to pay expenses of maintenance operation, and to provide funds for necessary replacements and improvements to the sewage works, and to pay the principal and interest on the existing and proposed revenue bonds in accordance with the applicable bond ordinance; now therefore,

**BE IT ORDAINED BY THE COMMON COUNCIL  
OF THE CITY OF RENSSELAER, INDIANA**

Section 1. Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

- (A) "Ammonia" (or  $\text{NH}_3\text{-N}$ ) shall have the same meaning as defined in the Sewer Use Ordinance.
- (B) "Board" shall mean the Board of Public Works of the City of Rensselaer, or any duly authorized officials acting in its behalf.
- (C) "BOD" (or Biochemical Oxygen Demand) shall have the same meaning as defined in the Sewer Use Ordinance.
- (D) "Class I" – The class of users who are connected to the City's sanitary collection sewers and are either (a) located within the City limits of the City of Rensselaer, Indiana, or (b) outside the City limits, but the user connected to the sanitary collection system before May 24, 1993. A user owning a property outside the City limits that was classified as a Class I User loses that classification when the property is sold.
- (E) "Class II" – The class of users who (a) convey their sanitary sewage to the Rensselaer Sewage Treatment Plant through a collection system the user owns and maintains, and (b) are located within the City limits of the City of Rensselaer, Indiana or are located outside the City limits, but the user was connected to the sanitary collection system before May 24, 1993.
- (F) "Class III" – The class of users who are connected to the City's sanitary collection sewers and are located outside the City limits of the City of Rensselaer, Indiana.

- (G) "Class IV" – The class of users who (a) convey their sanitary sewage to the Rensselaer Sewage Treatment Plant through a collection system the user owns and maintains, and (b) are located outside the City limits of the City of Rensselaer, Indiana.
- (H) "CBOD" (or Carbonaceous Biochemical Oxygen Demand) shall have the same meaning as defined in the Sewer Use Ordinance.
- (I) "COD" (or Chemical Oxygen Demand) shall have the same meaning as defined in the Sewer Use Ordinance.
- (J) "City" shall mean the City of Rensselaer acting by and through the Board of Public Works.
- (K) "Debt Service Costs" shall mean the average annual principal and interest payments on all proposed revenue bonds or other long-term capital debt.
- (L) "Excessive Strength Surcharge" shall mean an additional charge which is billed to users for treating sewage wastes with an average strength in excess of "normal domestic sewage".
- (M) "Industrial Wastes" shall mean the wastewater discharges from industrial, trade, or business processes as distinct from employee wastes or wastes from sanitary conveniences.
- (N) "NPDES" (National Pollutant Discharge Elimination System) Permit shall have the same meaning as defined in the Sewer Use Ordinance.
- (O) "Normal Domestic Sewage" (for the purpose of determining surcharges) shall mean wastewater or sewage having an average daily concentration as follows:

S.S. nor more than 200 mg/l  
 BOD nor more than 200 mg/l  
 Ammonia not more than 20 mg/l

As defined by origin, wastewaters from segregated domestic and/or sanitary conveniences as distinct from industrial processes.

- (P) "Operation and Maintenance Costs" include all costs, direct and indirect, necessary to provide adequate wastewater collection, transport, and treatment on a continuing basis and produce discharges to receiving waters that conform with all related Federal, State, and local requirements. (These costs include replacement.)
- (Q) "Other Service Charges" shall mean tap charges, connection charges, area charges, and other identifiable charges other than excessive strength surcharges.
- (R) "Person" shall mean any and all persons, natural or artificial, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, government agency, or other entity.

- (S) "Phosphorus" shall have the same meaning as defined in the Sewer Use Ordinance.
- (T) "Replacement Costs" shall mean the expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
- (U) "S.S." (or suspended solids) shall have the same meaning as defined in the Sewer Use Ordinance.
- (V) "Shall" is mandatory; "May" is permissive.
- (W) "Sewage" shall have the same meaning as defined in the Sewer Use Ordinance.
- (X) "Sewer Use Ordinance" shall mean a separate and companion enactment to this Ordinance, which regulates the connection to and use of public and private sewers.
- (Y) "User Charges" shall mean a charge levied on users of the wastewater treatment works for the cost of operation and maintenance of such works pursuant to Section 204(b) of Public Law 92-500.
- (Z) "User Class" shall mean the division of wastewater treatment customers by source, function, waste characteristics, and process or discharge similarities, (i.e., residential, commercial, industrial, institutional, and governmental in the User Charge System.

Residential User – shall mean a user of the treatment works whose premises or building is used primarily as a residence for one or more persons, including all dwelling units, etc.

Commercial User – shall mean any establishment involved in a commercial enterprise, business, or service which based on a determination by the City discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

Institutional User – shall mean any establishment involved in a social, charitable, religious, and/or educational function, which based on a determination by the City discharges primarily segregated domestic wastes or wastes from sanitary conveniences.

Governmental User – shall mean any Federal, State, or local governmental user of the wastewater treatment works.

Industrial User – shall mean any manufacturing or processing facility that discharges industrial waste to a wastewater treatment works.

- (AA) “West Side Sanitary Sewer” – The sanitary sewer installed by the City as shown on the map contained in Exhibit A. The installed sewers consist of an 8-inch and 10-inch gravity sewer along the north side of State Road 114 beginning just east of Interstate 65 to just east of County Road 850W including a branch that crosses to the south of State Road 114 approximately 250 feet west of the Yeoman Ditch. Also, consisting of a wastewater lift station designated as “I-65 East” located to the north of State Road 114 approximately 200 feet west of the Yeoman Ditch. Also, consisting of an 8-inch diameter force main extending from said lift station east along State Road 114 to County Road 850W, then south along County Road 850W to Bunkum Road, then east along Bunkum Road approximately 10,000 feet to a location directly north of the City’s wastewater treatment plant, then south through easements and across the Iroquois River, connecting to the headworks of the wastewater treatment plant.

Section 2. Every person whose premises are served by said sewage works shall be charged for the service provided. These charges are established for each user class, as defined, in order that the sewage works shall recover, for each user and user class, revenue which is proportional to its use of the treatment works in terms of volume and load, user charges are levied to defray the cost of operation and maintenance (including replacement) of the treatment works. User charges shall be uniform in magnitude within a user class.

- (A) User Charges are subject to the rules and regulations adopted by the U.S. Environmental Protection Agency published in the Federal Register February 17, 1984 (40 CFR 35.2140). Replacement costs, which are recovered through the system of user charges, shall be based upon the expected useful life of the sewage works equipment. The various classes of user of the treatment works for the purpose of this Ordinance shall be as follows:

- |                       |                 |                         |                 |
|-----------------------|-----------------|-------------------------|-----------------|
| Class I (City Users)  | - Residential   | Class III (Rural Users) | - Residential   |
|                       | - Commercial    |                         | - Commercial    |
|                       | - Governmental  |                         | - Governmental  |
|                       | - Institutional |                         | - Institutional |
|                       | - Industrial    |                         | - Industrial    |
| Class II (City Users) | - Wholesale     | Class IV (Rural Users)  | - Wholesale     |

Section 3. For the use of the service rendered by the sewage works, rates and charges shall be collected from the owners of each and every lot, parcel of real estate, or building that is connected with the City’s sanitary system or otherwise discharges sanitary sewage, industrial wastes, water, or other liquids, either directly or indirectly, into the sanitary sewage system of the City of Rensselaer. Such rates and charges shall include I/I charges, user charges, debt service costs, excessive strength surcharges, and other service charges, which rates and charges shall be payable as hereinafter provided and shall be in an amount determined as follows:

- (A) Class I and Class III Users
- (1) The sewage rates and charges shall be based on the quantity of water used on or in the property or premises subject to such rates and charges as the same is measured by the water meter there in use, plus a base charge based



on the size of water meter installed except as herein otherwise provided. For the purposes of billing and collecting the charges for sewage service, the water meters shall be read monthly. In situations where it is impracticable for a meter to be read, the monthly reading may be estimated and reconciled with the next meter reading. The users shall be billed each month (or period equaling a month). The water usage schedule on which the amount of said rates and charges shall be determined is as follows:

(a) Treatment rate per 100 cubic feet of usage per month:

	<u>Class I Users</u> (City Rates)	<u>Class III Users</u> (Rural Rates)
I/I Charges	\$ .45	\$ .55
User Charge	1.90	2.40
Debt Service	<u>.55</u>	<u>.70</u>
Totals	<u>\$ 2.90</u>	<u>\$ 3.65</u>

Plus

(b) Base rate per month:

<u>Water Meter Size</u>	<u>Class I Users</u> (City Rates)	<u>Class III Users</u> (Rural Rates)
5/8" – 3/4"	\$ 12.35	\$ 15.45
1"	28.45	35.55
1 1/4" – 1 1/2"	63.80	79.75
2"	108.65	135.80
3"	300.95	376.20
4"	440.20	550.30
6"	985.95	1,232.40
8"	1,756.00	2,195.00

(2) For Class I and Class III users of the sewage works that are unmetered water users or accurate meter readings are not available, the monthly charge shall be determined by equivalent single family dwelling units, except as herein provided. Sewage service bills shall be rendered once each month (or period equaling a month). The schedule on which said rates and charges will be determined is as follows:

	<u>Class I Users</u> (City Rates)	<u>Class III Users</u> (Rural Rates)
User Charge	\$ 25.00	\$ 31.35
Debt Service	<u>6.70</u>	<u>8.30</u>
Totals	<u>\$ 31.70</u>	<u>\$ 39.65</u>

(3) For the service rendered to the City of Rensselaer, said City shall be subject to the same rates and charges established in harmony therewith.

- (4) In order to recover the cost of monitoring industrial wastes, the City shall charge the user not less than \$75.00 per sampling event plus the actual cost for collecting and analyzing the sample as determined by the City or by an independent laboratory. This charge will be reviewed on the same basis as all other rates and charges in this ordinance.
- (5) Class I users shall use the rates and charges hereto known as the City Rates.
- (6) Class III users shall use the rates and charges hereto known as Rural Rates.
- (7) In addition to the rates and charges under Section 3(A)(1)(a) users connecting to the City's West Side Sanitary Sewer shall pay a debt service charge to assist in defraying the costs of furnishing such service. The charge shall be effective upon commencement of construction and continue until either December 31, 2021 or upon payoff of the Bonds associated with the project, whichever is sooner. The debt service charge shall be determined as follows:

Rate per equivalent dwelling unit (EDU)	<u>Monthly Rate</u> \$ 75.30
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An equivalent dwelling unit is a factor determined by the City based on the ratio of a customer's maximum daily flow to the maximum daily flow for an average residential customer.

Until users connecting to the West Side Sanitary Sewer are connected to the City's municipal water utility, monthly water usage used to determine the monthly sewer bill as calculated in accordance with Section 3(A)(1)(a) and (b) shall be estimated by the City based on information provided by the user.

(B) Class II and IV Users

- (1) Class II and Class IV users shall be those users who own and maintain their own collection system, do not make use of the City's collection system, and whose billable flow is determined by a meter located at a point so as to record all of the Class II and Class IV users' inflow and infiltration.
- (2) The sewage rates and charges shall be based on the quantity of flow generated by the user. For the purpose of billing and collecting the charges for sewage service, the meter shall be read monthly. In situations where it is impracticable for a meter to be read, the monthly reading may be estimated and reconciled with the next meter reading. The users shall be billed each month (or period equaling a month). The usage schedule on which the amount of said rates and charges shall be determined is as follows:

(a) Treatment rate per 1,000 gallons of usage per month:

	<u>Class II Users</u> (Wholesale City Rates)	<u>Class IV Users</u> (Wholesale Rural Rates)
User Charge	\$ 2.65	\$ 3.30
Debt Service	<u>.75</u>	<u>.95</u>
Totals	<u>\$ 3.40</u>	<u>\$ 4.25</u>

(b) Monthly billing rate:

	<u>Class II Users</u> (Wholesale City Rates)	<u>Class IV Users</u> (Wholesale Rural Rates)
User Charge	\$ 31.60	\$ 39.50

- (3) Class II users shall use the rates and charges hereto known as Wholesale City Rates.
- (4) Class IV users shall use the rates and charges hereto known as Wholesale Rural Rates.

**Section 4.** The quantity of water discharged into the sanitary sewage system and obtained from sources other than the utility that serves the City shall be determined by the City in such manner as the City shall reasonably elect, and the sewage service shall be billed at the above appropriate rates; except as hereinafter provided in this section, the City may make proper allowances in determining the sewage bill for quantities of water shown on the records to be consumed, but which are also shown to the satisfaction of the City that such quantities do not enter the sanitary sewage system.

- (A) In the event a lot, parcel of real estate, or building other than a single family dwelling unit discharging sanitary sewage, industrial wastes, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, is not a user of water supplied by the water utility serving the City, and the water used thereon or therein is not measured by a water meter, or is measured by a water meter not acceptable to the City, then the amount of water used shall be otherwise measured or determined by the City. In order to ascertain the rate or charge provided in this ordinance, the owner of other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the City for the determination of sewage discharge.
- (B) In the event a lot, parcel of real estate, or building discharging sanitary sewage, industrial wastes, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, is a user of water supplied by the water utility serving the City, and in addition, is a user of water from another source which is not measured by a water meter or is measured by a meter not acceptable to the City, then the amount of water used shall be otherwise measured or determined by the City. In order to ascertain the rates or charges, the owner or other interested party

shall, at his expense, install and maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the City for determination of sewage discharge.

- (C) In the event two (2) or more residential lots, parcels of real estate, or buildings discharging sanitary sewage, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, for billing purposes, the quantity of water used shall be averaged for each user and the base charge and the flow rates and charges shall apply to each of the number of residential lots, parcels of real estate, or buildings served through the single water meter.
- (D) In the event two (2) or more dwelling units such as mobile homes, apartments, or housekeeping rooms discharging sanitary sewage, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, are users of water and the quantity of water is measured by a single water meter, then in each such case, billing shall be for a single service in the manner set out elsewhere herein, except that the minimum bill shall be in the amount of \$12.35 per month per dwelling unit served through the single water meter. In the case of mobile home courts, the number of dwelling units shall be computed and interpreted as the total number of mobile home spaces available for rent plus any other dwelling units served through a meter. A dwelling unit shall be interpreted as a room or rooms or any other space or spaces in which cooking facilities are provided.
- (E) In the event a lot, parcel of real estate, or building discharging sanitary sewage, industrial wastes, water, or other liquids into the City's sanitary sewage system, either directly or indirectly, and uses water in excess of 10,000 gallons per month, and it can be shown to the satisfaction of the City that a portion of water as measured by the water meter or meters does not and cannot enter the sanitary sewage system, then the owner or other interested party shall, at his expense, install and maintain meters, weirs, volumetric measuring devices, or any adequate and approved method of measurement acceptable to the City for the determination of sewage discharge.

Section 5. In order that the rates and charges may be justly and equitably adjusted to the service rendered to users, the City shall base its charges not only on the volume, but also on the strength and character of the stronger-than-normal domestic sewage and wastes which it is required to treat and dispose of. The City shall require the user to determine the strength and content of all sewage and wastes discharged, either directly or indirectly into the sanitary sewage system, in such manner, by such method, and at such times as the City may deem practicable in light of the conditions and attending circumstances of the case, in order to determine the proper charge. The user shall furnish a central sampling point available to the City at all times.

- (A) Normal sewage domestic waste strength should not exceed ammonia in excess of 20 milligrams per liter of fluid, suspended solids in excess of 200 milligrams per liter of fluid, or biochemical oxygen demand in excess of 200 milligrams per liter of fluid. Additional charges for treating stronger-than-normal domestic waste shall be made on the following basis:

- (1) Rate Surcharge Based Upon Suspended Solids  
There shall be an additional charge of 26 cents per pound of suspended solids for suspended solids received in excess of 200 milligrams per liter of fluid.
  - (2) Rate Surcharge Based Upon BOD  
There shall be an additional charge of 26 cents per pound of biochemical oxygen demand for BOD received in excess of 200 milligrams per liter of fluid.
  - (3) Rate Surcharge Based Upon Ammonia  
There shall be an additional charge of \$1.05 per pound of ammonia received in excess of 20 milligrams per liter of fluid.
- (B) The determination of Suspended Solids, Biochemical Oxygen Demand, and Ammonia contained in the waste shall be in accordance with the latest copy of "Standard Methods for the Elimination of Water, Sewage, and Industrial Wastes" as written by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, and in accordance with "Guidelines Establishing Test Procedures for Analysis of Pollutants", 40 CFR Part 136.

**Section 6.** Such rates and charges shall be prepared, billed, and collected by the City in the manner provided by law and ordinance.

- (A) The rates and charges for all users shall be prepared and billed monthly. Annually, each user shall be notified of the portion of the total billing charged for operation, maintenance, and replacement for that user during the preceding year.
- (B) The rates and charges may be billed to the tenant or tenants occupying the properties served, unless otherwise requested in writing by the owner, but such billing shall in no way relieve the owner from the liability in the event payment is not made as herein required.

The owners of properties served which are occupied by a tenant or tenants shall have the right to examine the collection records of the City for the purpose of determining whether bills have been paid by such tenant or tenants, provided that such examination shall be made at the office at which such records are kept and during the hours that such office is open for business.

- (C) As is provided by statute, all rates and charges not paid by the 15th day following billing are hereby declared to be delinquent and a penalty of ten percent (10%) of the amount of the rates and charges shall thereupon attach hereto.

**Section 7.** In order that the rates and charges for sewage services may remain fair and equitable and be in proportion to the cost of providing services to the various users of user classes, the City shall cause a study to be made within a reasonable period of time following the first two years of operation, following the date on which this ordinance goes into effect. Such study shall include, but not be limited to, an analysis of the cost associated with the treatment of

excessive strength effluents from industrial users or user classes, the financial position of the sewage works, and the adequacy of its revenue to provide reasonable funds for the operation and maintenance, replacements, debt service requirements, and capital improvements to the wastewater treatment systems.

Thereafter, on a biennial basis, within a reasonable period of time following the normal accounting period, the City shall cause a similar study to be made for the purpose of reviewing this fairness, equity, and proportionality of the rates and charges conducted by officers or employees of the City or by a firm of certified public accountants, or a firm of consulting engineers, which firms shall have experience in such studies, or by such combination of officers, employees, certified public accountants, or engineers as the City shall determine to be best under the circumstances. The City shall, upon completion of said study, revise and adjust the rates and charges as necessary in accordance therewith in order to maintain the proportionality and sufficiency of the rates.

**Section 8.** The City may make and enforce such by-laws and regulations as may be deemed necessary for the safe, economical, and efficient management of the City's sewage system, pumping stations, and sewage treatment works, for the construction and use of house sewers and connections to the sewage treatment works, the sewage collection system, and for the regulation, collection, and rebating and refunding of such rates and charges. The City is hereby authorized to prohibit dumping of wastes into the City's sewage system which, in its discretion, are deemed harmful to the operation of the sewage treatment works of the City, or to require method affecting pretreatment of said wastes to comply with the pretreatment standards included in the NPDES Permit issued to the sewage works or as contained in the EPA General Pretreatment Regulation, 40 CFR Part 403 and any amendments thereto, or the City's Pretreatment Program Plan.

**Section 9.** The owner of any residential lot, parcel of real estate, or building connecting to the sewage works shall, prior to being permitted to make a connection, pay a connection charge in the amount of One Thousand Two Hundred Dollars (\$1,200) for each connection. The Council, acting as Utility Board, now finds such a connection charge to be reasonable and equitable pro rata cost of construction of a local or lateral sewer adequate to serve the property so connecting and the cost of providing a connection to the sewer, excavation, backfilling, pavement replacement, and installation of a sewer line from the sewer to the property line. All commercial, institutional, governmental, and industrial users will be charged actual time and material for the installation of a sewage tap, with the minimum fee being One Thousand Two Hundred Dollars (\$1,200). The Utility Board now finds that such a method of charging said users is just and reasonable, as this class of users often times has unique requirements not found with residential taps that result in greater overall cost to construct and connect the tap. Provided, however, no connection charge will be required of any customer connecting to a local or lateral sewer within 180 days of the date on which said sewer was available for connection. Connection charges will be imposed on any connection and on all connections made to future extensions of the system.

**Section 10.** That the rules and regulations promulgated by the City, after approval by the Utility Board shall, among other things, provide for an appeal procedure whereby a user shall have the right to appeal a decision of the administrator of the sewage system and user charge system to the Utility Board, and that any decision concerning the sewage system or user charges

of the Utility Board may be appealed to the circuit court of the county under appeal procedures provided for in the Indiana Administrative Adjudication Act.

**Section 11.** The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which shall be given effect without such invalid part or parts.

**Section 12.** The Board is hereby further authorized to enter into special rate contracts with customers of the sewage works where clearly definable reduction in cost to the sewage works can be determined, and such reduction shall be limited to such reduced costs.

**Section 13.** The rates and charges as herein set forth shall become effective on the first full billing period occurring after the adoption of this ordinance.

**Section 14.** Any person who believes himself aggrieved through the enforcement of this ordinance has the right to seek administrative relief before the City.

**Section 15.** This ordinance shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF  
RENSSELAER, INDIANA, ON THE 18th DAY OF October, 2011.

AYE

NAY

William A. Herman

George F. Cover

Richard T. Long

Carol A. Beard  
Council Member

Council Member

ATTEST:

Presented by me to the Mayor of the City of Rensselaer, Indiana, on the 18th day of  
October, 2011, at 4:00 o'clock p.m.

Frieda Bretzinger  
Frieda Bretzinger, Clerk-Treasurer

Approved by me this 18th day of October, 2011.

Herbert H. Arihood  
Herbert H. Arihood, Mayor  
City of Rensselaer



**ORDINANCE NO. 13-2012**

**AN ORDINANCE ESTABLISHING RATES AND CHARGES  
FOR THE USE OF AND WATER SERVICE RENDERED BY  
THE WATERWORKS SYSTEM OF THE CITY OF  
RENSSELAER, INDIANA**

WHEREAS, the Common Council of the City of Rensselaer has been advised that the water rates and charges are not sufficient to adequately operate and maintain the City's waterworks; and,

WHEREAS, a financial study of the existing rates and charges has been made by H. J. Umbaugh & Associates, and the Common Council finds it necessary to increase said rates and charges;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Rensselaer, Jasper County, Indiana:

Section 1. That there shall be and there are hereby established for the use of and the service rendered by the waterworks system of the City of Rensselaer the following rates and charges for customers WITHIN the City Limits of the City of Rensselaer, Indiana, based on the use of water supplied by said waterworks system:

<u>Metered Rates Per Month:</u>		<u>Rates</u>
<u>100 Cubic Feet</u>		<u>(Per CCF)</u>
First	300 cubic feet	\$ 5.40
Next	700 cubic feet	4.59
Next	2,000 cubic feet	3.84
Next	5,000 cubic feet	3.25
Next	15,000 cubic feet	2.72
Over	23,000 cubic feet	1.72

Section 2. That there shall be and there are hereby established for the use of and the service rendered by the waterworks system of the City of Rensselaer the following rates and charges for customers OUTSIDE the City Limits of the City of Rensselaer, Indiana, based on the use of water supplied by said waterworks system:

<u>Metered Rates Per Month:</u>		<u>Rates</u>
<u>100 Cubic Feet</u>		<u>(Per CCF)</u>
First	300 cubic feet	\$ 6.75
Next	700 cubic feet	5.74
Next	2,000 cubic feet	4.79
Next	5,000 cubic feet	4.06
Next	15,000 cubic feet	3.40
Over	23,000 cubic feet	2.15

Section 3. **Minimum Charges** - Each user shall pay a minimum charge in accordance with the following applicable size of meter installed, for which the user will be entitled to the quantity of water set out in Section 1 and Section 2 above:

<u>Size of Meter</u>	<u>Customer Rate</u>	<u>Customer Rate</u>
	<u>Within City</u>	<u>Outside City</u>
5/8"	\$ 16.20	\$ 20.25
3/4"	21.75	27.20
1"	32.65	40.80
1 1/4"	54.15	67.70
1 1/2"	76.15	95.20
2"	108.55	135.70
3"	162.60	203.25
4"	216.80	271.00
6"	484.85	606.05

**Fire Hydrants**

Municipal hydrants - per hydrant - per annum	\$668.85
Private hydrants - per hydrant - per annum	668.85

**Private Fire Protection**

	<u>Annual Charge</u>
2" fire line	\$ 223.00
4" fire line	297.60
6" fire line	668.85
8" fire line	1,194.85
10" fire line	1,850.50

**Section 4. Other Charges**

**Reconnect Charges** - Whenever service is turned off for non-payment of bill, or whenever for any reason beyond the control of the utility a reestablishment of service is required, a charge of \$25.00 during the normal business hours (7:00 a.m. to 3:00 p.m.) and \$100.00 after normal business hours will be made by the utility to cover a part of the cost of discontinuance and reestablishment of service.

**Tap Charge** - A tap charge shall be collected from each customer, prior to connection to the water system. This charge shall be \$850.00 for a 5/8" - 3/4" connection. For larger size connections, the charge shall be an amount sufficient to reimburse the City for the labor, material, and overhead necessary for tapping the main, installation of service from the main to the property line (including the curb stop), and the cost of furnishing and installing a suitable water meter. In no event shall the charge for such connection be less than \$850.00.

**Temporary Users** - Water furnished to temporary users, such as contractors, etc., shall be charged on the basis of the metered rates hereinbefore set forth as estimated and established by the Waterworks Superintendent.

**Collection and Deferred Payment Charge** - All bills for water service not paid on or before the due date thereof, shall be subject to the collection of deferred payment charge of ten percent (10%) on the first \$3.00, and three percent (3%) on the excess over \$3.00. Said late charge to be applied the day after the due date. The termination date of services is indicated on the bill, giving ten (10) days for payment after the original due date.



Received  
October 09, 2012  
INDIANA UTILITY  
REGULATORY COMMISSION

**ORDINANCE NO. 19-2011**

**AN ORDINANCE ESTABLISHING RATES AND CHARGES  
FOR THE USE OF AND WATER SERVICE RENDERED BY  
THE WATERWORKS SYSTEM OF THE CITY OF  
RENSELAER, INDIANA**

**WHEREAS**, the Common Council of the City of Rensselaer has been advised that the water rates and charges are not sufficient to adequately operate and maintain the City's waterworks; and,

**WHEREAS**, a financial study of the existing rates and charges has been made by H. J. Umbaugh & Associates, and the Common Council finds it necessary to increase said rates and charges;

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Rensselaer, Jasper County, Indiana:

**Section 1.** That there shall be and there are hereby established for the use of and the service rendered by the waterworks system of the City of Rensselaer the following rates and charges for customers **WITHIN** the City Limits of the City of Rensselaer, Indiana, based on the use of water supplied by said waterworks system:

<u>Metered Rates Per Month:</u>		<u>Rates</u>
<u>100 Cubic Feet</u>		<u>(Per CCF)</u>
First	300 cubic feet	\$ 5.24
Next	700 cubic feet	4.45
Next	2,000 cubic feet	3.72
Next	5,000 cubic feet	3.15
Next	15,000 cubic feet	2.63
Over	23,000 cubic feet	1.66

**Section 2.** That there shall be and there are hereby established for the use of and the service rendered by the waterworks system of the City of Rensselaer the following rates and charges for customers **OUTSIDE** the City Limits of the City of Rensselaer, Indiana, based on the use of water supplied by said waterworks system:

<u>Metered Rates Per Month:</u>		<u>Rates</u>
<u>100 Cubic Feet</u>		<u>(Per CCF)</u>
First	300 cubic feet	\$ 6.55
Next	700 cubic feet	5.56
Next	2,000 cubic feet	4.65
Next	5,000 cubic feet	3.94
Next	15,000 cubic feet	3.29
Over	23,000 cubic feet	2.08

**Section 3. Minimum Charges** - Each user shall pay a minimum charge in accordance with the following applicable size of meter installed, for which the user will be entitled to the quantity of water set out in Section 1 and Section 2 above:

<u>Size of Meter</u>	<u>Customer Rate Within City</u>	<u>Customer Rate Outside City</u>
5/8"	\$ 15.75	\$ 19.60
3/4"	21.05	26.25
1"	31.65	39.60
1 1/4"	52.50	65.60
1 1/2"	73.80	92.15
2"	105.25	131.55
3"	157.60	196.95
4"	210.15	262.60
6"	469.95	587.45

**Fire Hydrants**

Municipal hydrants - per hydrant - per annum	\$648.27
Private hydrants - per hydrant - per annum	648.27

**Private Fire Protection**

	<u>Annual Charge</u>
2" fire line	\$ 216.15
4" fire line	288.40
6" fire line	648.30
8" fire line	1,158.10
10" fire line	1,793.55

**Section 4. Houston Service Area Surcharge** - Connections served in the Houston Service Area (defined below), in addition to the monthly water bill, shall be billed a monthly debt service surcharge of \$40.00 per equivalent single family dwelling unit. Equivalent single-family dwelling units for non-residential connections shall be determined by the City. In no instance shall the equivalent single-family dwelling units be less than one.

**Section 5. Houston Service Area** - The Houston Service Area shall encompass the Houston Subdivision with a southern boundary approximately 1.1 miles south of the City of Rensselaer on U. S. 231, plus all other areas that may connect to the water main extensions to this site constructed as part of this project. Said water main extensions are described generally as follows:

...Beginning at the intersection of Drexel Parkway and U.S. 231 and extending south along U.S. 231 to the south boundary line of Houston Subdivision extended east to the intersection with U.S. 231;

...Beginning at a point approximately 2,500 feet north of County Road 650 South on Sparling Road and extending south to Mt. Calvary Road; and,

...Beginning at the intersection of U.S. 231 and Mt. Calvary Road and extending west to Sparling Road.

**Section 6. Houston Service Area Availability Charge** - Properties connecting to the Rensselaer Municipal Water Utility in the Houston Service Area after September 1, 2001, shall

pay in addition to the tap fee established in Section 7, an Availability Charge calculated as the number of months between date of connection and September 1, 2001 x \$40.00 x the new connection's equivalent single family dwelling unit factor.

**Section 7. Other Charges**

Reconnect Charges - Whenever service is turned off for non-payment of bill, or whenever for any reason beyond the control of the utility a reestablishment of service is required, a charge of \$25.00 during the normal business hours (7:00 a.m. to 3:00 p.m.) and \$100.00 after normal business hours will be made by the utility to cover a part of the cost of discontinuance and reestablishment of service.

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Temporary Users - Water furnished to temporary users, such as contractors, etc., shall be charged on the basis of the metered rates hereinbefore set forth as estimated and established by the Waterworks Superintendent.

Collection and Deferred Payment Charge - All bills for water service not paid on or before the due date thereof, shall be subject to the collection of deferred payment charge of ten percent (10%) on the first \$3.00, and three percent (3%) on the excess over \$3.00. Said late charge to be applied the day after the due date. The termination date of services is indicated on the bill, giving ten (10) days for payment after the original due date.

**Section 8.** All ordinances and parts of ordinances in conflict are repealed; provided, however, that the existing schedule of rates and charges for water service shall remain in full force and effect unless and until the Common Council of the City of Rensselaer, acting as the Utility Board, shall approve the new schedule of rates and charges herein contained, and until such time as said Council may by order direct.

**Section 9.** The foregoing rates are sufficient to compensate the City of taxes that would have been paid on the utility property if it were privately owned. These funds in lieu of taxes shall be transferred to the City General Fund pursuant to Indiana Code 8-1.5-3-8. That the rates also provide for a return of investment in the plant as provided by Indiana Code 8-1.5-3-8.

**Section 10.** This Ordinance shall be in full force and effect on January 1, 2011.

28 PASSED AND ADOPTED by the Common Council of the City of Rensselaer on this day of NOV, 2011.

AYE

NAY

Rick Williams

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Carol Gandy

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William Anderson

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George J. Coner

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Robert J. Coy

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ATTEST:

Frieda Bretzinger  
Frieda Bretzinger, Clerk-Treasurer

Herbert H. Arihood  
Herbert H. Arihood, Mayor