

ORIGINAL

GENERAL ADMINISTRATIVE ORDER NO. 1990-1  
OF THE  
INDIANA UTILITY REGULATORY COMMISSION

WHEREAS, the Indiana Utility Regulatory Commission is a public agency of the State of Indiana charged by statute with the regulation and supervision of public utilities in Indiana, and

WHEREAS, IC 8-1-6 declares that it is the public policy of the State that in order to maintain and foster the effective regulation of the public utilities, in the interest of the people and the public utilities as well as that public utilities subject to regulation and which enjoy the privilege of operating as public utilities should bear the expense of administering the statutes governing regulation by means of a public utility fee, and

WHEREAS, certain designated public utilities by statute have authority to withdraw from the jurisdiction of the Commission, and

WHEREAS, IC 8-1-6 is clear that the public utility fee may be imposed only on regulated public utilities, it is unclear, except as required by statute (IC 8-1-17-22.5) or otherwise, the extent to which these utilities are obligated for the fee in the year of their withdrawal from Commission jurisdiction, and

WHEREAS, the Commission believes the intent of the statute (IC 8-1-17-22.5) is that once a utility, not statutorily or otherwise subject to payment of the public utility fee, withdraws from Commission jurisdiction, the authority to impose the fee ends for the year that the utility withdraws from Commission jurisdiction and

WHEREAS, the order herein shall have no effect on the payment of the public utility fee by those utilities subject to IC 8-1-2.6 or any other public utilities wherein the Commission may decline to exercise, in whole or in part, its jurisdiction.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Commission will impose the public utility fee for a particular year only if that utility was required to pay such fee and was under the Commission's jurisdiction for the entire year.

James R. Monk  
James Monk, Chairman  
Frederick L. Corban  
Frederick L. Corban, Commissioner  
Vicky A. Bailey  
Vicky A. Bailey, Commissioner  
G. Richard Klein  
G. Richard Klein, Commissioner  
David E. Ziegner  
David E. Ziegner, Commissioner

I hereby certify that the above is a true and correct copy of the Order as approved.

SEP 19 1990

James McDonald Pitt