

ORIGINAL

**GENERAL ADMINISTRATIVE ORDER
OF THE INDIANA UTILITY REGULATORY COMMISSION
2020-04**

WHEREAS, Indiana Code § 8-1-26-23(a) establishes the Underground Plant Protection Advisory Committee (“Advisory Committee”); and

WHEREAS, Ind. Code § 8-1-26-23(g) requires the Pipeline Safety Division (“Division”) of the Indiana Utility Regulatory Commission (“Commission”) to investigate alleged violations of Ind. Code ch. 8-1-26 and forward its findings to the Advisory Committee; and

WHEREAS, Ind. Code § 8-1-26-23(h) provides that the Advisory Committee shall act in an advisory capacity to the Commission concerning the implementation and enforcement of Ind. Code ch. 8-1-26 may make recommendations regarding penalties with respect to persons that the Division has found to violate Ind. Code ch. 8-1-26; and

WHEREAS, under Ind. Code § 8-1-26-23(k), upon receiving a recommendation from the Advisory Committee, and after notice and opportunity for a public hearing, the Commission shall: uphold or reverse the finding of a violation by the Division, approve or disapprove each recommendation of the Advisory Committee, and collect any civil penalties and deposit the penalties in the underground plant protection account established by Ind. Code § 8-1-26-24(a); and

WHEREAS, the Commission desires to provide procedural guidance to persons requesting a public hearing under Ind. Code § 8-1-26-23(k); and

WHEREAS, the Commission previously issued guidance in General Administrative Order (“GAO”) 2016-3; and

WHEREAS, Title 170 Ind. Admin. Code 1-1.1-5.5 took effect July 10, 2020, and now provides the guidance previously provided by GAO 2016-3;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that GAO 2016-3 is hereby revoked and superseded by Title 170 Ind. Admin. Code 1-1.1-5.5.



James F. Huston, Chairman



Sarah E. Freeman, Commissioner



Stefanie Krevda, Commissioner



David L. Ober, Commissioner



David E. Ziegner, Commissioner

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



Mary M. Becerra
Secretary to the Commission

Date: **JUL 22 2020**