

## Small Utility Rate Application Checklist

The small utility rate application was established to provide small utilities with an opportunity to increase rates and charges through a less costly regulatory procedure. Under the small utility rate application procedure, a utility completes standard forms that can be obtained through the Indiana Utility Regulatory Commission (Commission). These forms can be filed with the Commission without the need for an attorney or accountant. Utilities primarily providing retail service to fewer than 8,000 customers and do not extensively serve another utility qualify for this process.

If utility personnel have questions when completing the forms, the utility can contact the Indiana Office of Utility Consumer Counselor (OUCC) or the Commission.

A checklist of items needed to file a small utility rate application is provided below.

- Application Form*
  - A completed rate change application form. Forms can be obtained by calling the Commission at (317) 232-2750.
  - Be sure to include a complete proposed tariff
- Authorization (See example resolution, page 37)*
  - A copy of the authorization from the utility's governing body for the requested rate change. (i.e., rate ordinance or board resolution)
- Proposed Public Legal Notice (See example legal notice, page 34)*
  - A copy of the utility's proposed written notice for publication.
- Proof of Publication (See example publisher's affidavit, page 35)*
  - Proof of publication (i.e., publisher's affidavit) of the actual notice must be filed within fifteen (15) days after the utility's filing of its application with the Commission.
- Actual Copy of Customer Notice (See example customer notice, page 36)*
  - An actual copy of the customer notice sent to each customer must be filed within fifteen (15) days after the filing of the utility's application with the Commission.

□ *Verified Statement of Federal Indebtedness (Not-for-Profit Utility only – See examples on pages 38 and 39)*

- A verified statement as to whether or not the small utility has outstanding indebtedness to the federal government. If utility has federal indebtedness, it must supply written consent to apply for a rate change from the federal agencies that are creditors.

*Hearings:* If a request for a formal public hearing is made, it shall be filed with the Commission within forty (40) calendar days of the initial filing of the utility's application. The Commission may conduct a formal public hearing or field hearing upon request from the Public – 10 individuals, firms, corporations or the OUCC. The Commission may require a formal hearing on its own motion. In the event of a formal hearing, the Utility may elect to designate its application to serve as its pre-filed evidence. However, the utility is not precluded from filing additional evidence.

For more information regarding the small utility rate application filing or to have a rate application sent to you call the Commission's Water/Sewer Division at (317) 232-2750.

**Example: Legal Notice 170 IAC 14-1-2(b)(1)**

**NOTICE OF PROPOSED INCREASE IN WATER RATES**  
**FOR CUSTOMERS OF THE**  
**MEGAGREAT WATER COMPANY**

Notice is hereby given that the Megagreat Town Council/Utility Board/etc. did on MONTH, DAY, YEAR, file an Application with the Indiana Utility Regulatory Commission (IURC) to increase the water rates charged to customers of the Megagreat Water Company.

This Application was filed pursuant to Ind. Code 8-1-2-61.5 without the necessary cost of an IURC hearing; however, a public hearing before the IURC may be held if any public or municipal corporation, ten (10) individuals, firms, corporations or associations, or ten (10) complainants of all or any of these classes affected by the proposed rate change requests a formal public hearing. A written, signed request for a formal hearing must be submitted to the Secretary of the Commission, Indiana Utility Regulatory Commission, 101 W. Washington Street, Suite 1500 East, Indianapolis, Indiana, 46204 and must be received by the IURC within forty (40) days after the date the Application was filed with the IURC and declared complete. In addition, a public hearing may be held if requested by the Utility Consumer Counselor (OUCC).

The proposed increase in the water rate requested by the application is approximately xxx% and is proposed to be an “Across-the-Board” increase.

In the absence of a written request as described above, there likely will be no hearing conducted by the IURC on this Application. However, this will not decrease the standard of review by either the OUCC or the IURC. While the small utility filing procedure reduces time and expenses for the filing utility, the utility must still make its case in writing and has the same burden of proof that is required in any IURC rate case. The OUCC will assign a team of legal and technical staff to review the utility’s request. Further, utility customers may send comments to the OUCC for inclusion in the formal case record. The OUCC accepts comments through its website at [www.in.gov/oucc/contact-us](http://www.in.gov/oucc/contact-us) or by e-mail at [uccinfo@OUCC.in.gov](mailto:uccinfo@OUCC.in.gov).

**MEGAGREAT TOWN COUNCIL/UTILITY BOARD**

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**XXXXXX, PRESIDENT**

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**XXXXXX, SECRETARY**

**Example: Proof of Publication 170 IAC 14-1-2(b)(1)**

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set) -- number of equivalent lines \_\_\_\_\_  
 Head -- number of lines \_\_\_\_\_  
 Body -- number of lines \_\_\_\_\_ 43  
 Tail -- number of lines \_\_\_\_\_  
 Total number of lines in notice \_\_\_\_\_ 43

COMPUTATION OF CHARGES

43 lines, \_\_\_\_\_ columns wide equals \_\_\_\_\_ equivalent lines at .339  
 cents per line \_\_\_\_\_ \$ 14.58  
 Additional charge for notices containing rule or tabular work (50 percent of above amount) \_\_\_\_\_  
 Charge for extra proofs of publication (\$1.00 for each proof in excess of two) \_\_\_\_\_  
 TOTAL AMOUNT OF CLAIM \_\_\_\_\_ \$ 14.58

DATA FOR COMPUTING COST

Width of single column \_\_\_\_\_ 10.5 \_\_\_\_\_ ems  
 Number of insertions \_\_\_\_\_ 1 \_\_\_\_\_  
 Size of type \_\_\_\_\_ 6 \_\_\_\_\_ point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing credits, and that no part of the same has been paid.

*Nancy G. Hale*  
 Title: \_\_\_\_\_ President

**RECEIVED**

Date: July 8, 1999

JUL 27 1999

INDIANA OFFICE OF UTILITY  
 CONSUMER COUNSELOR

NOTICE OF PROPOSED INCREASE IN WATER RATES FOR CUSTOMERS OF THE PALMYRA WATER COMPANY

Notice is hereby given that the Palmyra Town Council did on March 15, 1999, file an Application with the Indiana Utility Regulatory Commission to increase the water rates charged to customers of the Palmyra Water Company.

This application was filed pursuant to Ind. Code 8-1-2-21.5 without the necessary cost of a Utility Regulatory Commission hearing; however a public hearing by the Utility Regulatory Commission will be held if any public or municipal corporation, ten (10) individuals, firms, corporations or associations or ten (10) complainants of all or any of these classes affected by the proposed rate change requests a formal public hearing by filing a written, signed request with the Secretary, Utility Regulatory Commission, 813 State Office Building, Indianapolis, Indiana 46204. Said request must be received by the Utility Regulatory Commission within forty (40) days after the date the application was filed with the Utility Regulatory Commission. In addition, a public hearing will be held if the same is requested by the Utility Consumer Counselor.

The proposed increase in the water rate requested by the application is approximately \_\_\_\_\_ per cent and is proposed to be an across the board increase.

In the absence of a written request as provided herein, there likely will be no hearing conducted by the Utility Regulatory Commission on this application.

PALMYRA TOWN COUNCIL  
 Larry Embry, Pres.  
 Howard T. Jones  
 Paul Eveslage  
 District

PUBLISHER'S AFFIDAVIT

State of Indiana )  
 ) ss:  
 Washington County )

Personally appeared before me, a notary public in and for said county and state, signed \_\_\_\_\_ Nancy G. Hale \_\_\_\_\_, who being duly sworn, says that \_\_\_\_\_ President \_\_\_\_\_ of the \_\_\_\_\_ newspaper of general circulation printed and published in the English language in \_\_\_\_\_ in state and county aforesaid, and that the printed matter hereto is a true copy, which was duly published in said paper for \_\_\_\_\_ the dates of publication being as follows:

July 8

*Nancy G. Hale*  
 Subscribed and sworn to before me this 8 day of July  
*John M. ...*  
 Notary Public

My commission expires: 1-23-00

**RECEIVED**

JUL 19 1999

INDIANA OFFICE OF UTILITY  
 CONSUMER COUNSELOR

**Example: Customer Notice 170 IAC 14-1-2(b)(2)**

**WATER CUSTOMERS OF  
MEGAGREAT WATER COMPANY**

**In Re: Proposed Water Rate Increase**

Dear Water Customer:

Notice is hereby given that the Megagreat Town Council/Utility Board/etc. did on MONTH, DAY, YEAR, file an Application with the Indiana Utility Regulatory Commission (IURC) to increase the water rates charged to customers of the Megagreat Water Company.

This Application was filed pursuant to Ind. Code 8-1-2-61.5 without the necessary cost of an IURC hearing; however, a public hearing before the IURC may be held if any public or municipal corporation, ten (10) individuals, firms, corporations or associations, or ten (10) complainants of all or any of these classes affected by the proposed rate change requests a formal public hearing. A written, signed request for a formal hearing must be submitted to the Secretary of the Commission, Indiana Utility Regulatory Commission, 101 W. Washington Street, Suite 1500 East, Indianapolis, Indiana, 46204 and must be received by the IURC within forty (40) days after the date the Application was filed with the IURC and declared complete. In addition, a public hearing may be held if requested by the Utility Consumer Counselor (OUCC).

The proposed increase in the water rate requested by the application is approximately xxx% and is proposed to be an “Across-the-Board” increase.

In the absence of a written request as described above, there likely will be no hearing conducted by the IURC on this Application. However, this will not decrease the standard of review by either the OUCC or the IURC. While the small utility filing procedure reduces time and expenses for the filing utility, the utility must still make its case in writing and has the same burden of proof that is required in any IURC rate case. The OUCC will assign a team of legal and technical staff to review the utility’s request. Further, utility customers may send comments to the OUCC for inclusion in the formal case record. The OUCC accepts comments through its website at [www.in.gov/oucc/contact-us](http://www.in.gov/oucc/contact-us) or by e-mail at [uccinfo@OUCC.in.gov](mailto:uccinfo@OUCC.in.gov).

**MEGAGREAT TOWN COUNCIL/UTILITY BOARD**

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**XXXXXX, PRESIDENT**

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**XXXXXX, SECRETARY**

**Example: Resolution 170 IAC 14-1-2(b)(4)**

**MEGAGREAT WATER, CORPORATION**

**RESOLUTION 99-1**

WHEREAS, the Megagreat Water Corporation was heretofore established by Order of the Indiana Utility Regulatory Commission, in Cause No. XXXXX; and

WHEREAS, the Corporation was organized for the purpose of providing water service including treatment and distribution for domestic use through mains, pipes, and conduits within the Megagreat Water area, located in South County, Indiana;

NOW THEREFORE, be it resolved that the Megagreat Water Corporation is hereby authorized to apply to the Indiana Utility Regulatory Commission for an increase in the District's rates to cover the cost of said sewer operations and maintenance. Be it further resolved that this increase shall be across the board.

Dated:           This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Secretary

**REQUIRED FOR NOT-FOR-PROFIT UTILITIES ONLY 170 IAC 14-1-2-(c)(1)**

**Example: Verified Statement of Federal Indebtedness**

**AFFIDAVIT OF UTILITY OFFICER/MANAGER**

Comes now Utility Officer/Director/Manager and being first duly sworn upon his oath, states as follows:

1. That I am an officer/manager/director of the Megagreat Water Corporation located at xxxx, Wander, IN xxxxx.
2. That the Megagreat Water Corporation is a non-for-profit water utility.
3. That I am familiar with the financial affairs and condition of the Megagreat Water Corporation.
4. That the Megagreat Water Corporation currently has/does not have outstanding indebtedness to the United States Government.

Further, the affiant sayeth naught.

\_\_\_\_\_  
UTILITY OFFICER/MANAGER

The undersigned, being first and duly sworn upon oath says;

I am the affiant in the above entitled cause. I have read the foregoing Affidavit and the facts stated therein are true.

\_\_\_\_\_  
UTILITY OFFICER/MANAGER

STATE OF INDIANA, COUNTY OF SOUTH, ss:

Before me, a Notary Public in and for said County and State, personally appeared XXXXXXXX, and executed the above and foregoing Affidavit.

Commission expires: \_\_\_\_\_

Resident of \_\_\_\_\_ County, Indiana

**REQUIRED FOR NOT-FOR-PROFIT UTILITIES ONLY 170 IAC 14-1-2-(c)(2)**  
**Example: Written Consent of Federal Government to Change Rates**

RWB



**Rural  
Development**

30 W. Indiana Avenue  
P.O. Box 191  
Bloomfield, Indiana  
47424

Phone 812/384-3517  
Fax 812/384-8131  
TDD 317/290-3343

June 23, 1999

Ms. Rita Baldwin  
Indiana Office of Utility Consumer Counselor  
Indiana Government Center North  
100 North Senate, Room N501  
Indianapolis, Indiana 46204

RE: Palmyra Water Utility

Dear Ms. Baldwin:

This office has reviewed information contained in the State Board of Accounts Audit Report filed 12-3-98 for the above reference utility. Based on this information it appears that a rate increase is necessary. The utility, based on the audit, appears to be exhibiting a net loss during the period from 1995-1997. Although data for 1998 has not been reviewed, a water supplier to the town has passed on a rate increase that logically calls for a general rate increase for the users of the Palmyra utility.

Please consider this letter to be Rural Development's written consent for the Palmyra Water Utility to request approval by the IURC of a general rate increase in user fees and charges without a public hearing.

If you need additional information, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Devault".

DANIEL E. DEVAULT  
Rural Development Specialist

DED/st

CC: Town Council  
Town of Palmyra