

ORIGINAL

Commissioner	Yes	No	Not Participating
Huston	√		
Freeman	√		
Krevda			√
Ober	√		
Ziegner	√		

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE JOINT PETITION OF INDIANA)
MICHIGAN POWER COMPANY AND NOBLE COUNTY)
RURAL ELECTRIC MEMBERSHIP CORPORATION)
PURSUANT TO I.C. 8-1-2.3-6 FOR APPROVAL OF AN)
AGREED CHANGE IN THE BOUNDARIES OF THEIR)
RESPECTIVE ASSIGNED SERVICE AREAS ON U.S.G.S.)
FACET MAPS U-5 AND W-5-1 IN NOBLE AND DEKALB)
COUNTY, INDIANA)

CAUSE NO. 45498

APPROVED: APR 14 2021

ORDER OF THE COMMISSION

Presiding Officer:
Lora L. Manion, Administrative Law Judge

On February 17, 2021, Indiana Michigan Power Company (“I&M”) and Noble County REMC (“Noble”) (collectively “Joint Petitioners”) filed a *Verified Joint Petition to Modify Service Area Boundaries* (“Joint Petition”) with the Indiana Utility Regulatory Commission (“Commission”). Pursuant to Indiana Code § 8-1-2.3-6(2), the Joint Petition seeks Commission approval of the electric service area boundary changes to which I&M and Noble have mutually agreed. Joint Petitioners’ mutual agreement is to change certain Commission assigned service area boundaries located on U.S.G.S. Facet Maps U-5 and W-5-1 in Noble and Dekalb County, Indiana.

Based upon the applicable law and the evidence herein, the Commission now finds:

1. Commission Jurisdiction. I&M is a corporation organized under the laws of the State of Indiana, with its principal office and place of business located at Fort Wayne, Indiana. I&M has corporate power and authority, among other things, to engage in generating, transmitting, distributing, and selling electric energy within the States of Indiana and Michigan. Noble is a rural electric membership cooperative duly organized and existing under the laws of the State of Indiana, with its principal office and place of business located in Albion, Indiana. Joint Petitioners I&M and Noble are both “electricity suppliers” as defined by Indiana Code § 8-1-2.3-2(b), and the purpose of their Joint Petition is to change the boundaries between their respective “assigned service areas” as defined by Indiana Code § 8-1-2.3-6(2). The Commission, therefore, has jurisdiction over the Joint Petitioners and the subject matter of their Joint Petition.

2. Relief Sought. The relief sought in this Cause by Joint Petitioners is specifically governed by Indiana Code § 8-1-2.3-6(2), which provides that the boundary lines of electricity suppliers’ assigned service areas may be changed upon their mutual agreement and approval of this Commission. Since the approval of the assigned service areas for I&M and Noble in Cause No. 36299-S208(X), there has been a change in circumstances, and I&M and Noble agree it would be appropriate to make certain modifications in the boundary lines heretofore approved. Such a situations exist involving the boundary lines between I&M and Noble. Specifically, Joint

Petitioners recognize that there are three sites where one of the utilities provided service outside of their existing boundary area to facilitate service and reduce cost to the customer requesting service. Additionally, there is one site where a customer has requested three-phase service and the incumbent utility serving this customer does not have three-phase service in the area. The neighboring utility has three-phase service at the customer's property. The boundary line modifications requested by the Joint Petitioners in this Cause will address these issues and provide three-phase service to a customer at a fraction of the cost than if it was served by the incumbent utility. I&M and Noble agreed that modifying the existing boundary lines as proposed, would be in the best interest of all involved.

The proposed boundary line changes will not result in a change of service provider for any customers except for the single customer who is requesting the change. There is no evidence before the Commission in this proceeding that the requested changes will cause: (a) the duplication of electric facilities; (b) waste of materials or resources; or (c) uneconomic, inefficient or inadequate electric service to the public.

3. Notice. Indiana Code § 8-1-2.3-6(2) provides:

If notice of a verified request for a change of boundary lines by mutual agreement under this subdivision is published in a newspaper of general circulation in every county in which the boundary lines are located and an affected electricity customer does not request a hearing within twenty (20) days of the last date of publication, the commission may approve the change without a hearing.

The record shows that notice of the filing of the verified agreed request for a change of boundary lines located on U.S.G.S. Facet Maps U-5 and W-5-1 was published on February 23, 2021, in the *Kendallville News-Sun*. This is a newspaper of general circulation in Noble and Dekalb County, which are the counties in which the affected boundary lines are located. Proof of publication of the notice was filed with the Commission on March 17, 2021, and is hereby incorporated into the record of this Cause. Twenty days have passed since the date of publication of the notice and no affected electricity customer has requested a hearing. Therefore, pursuant to Indiana Code § 8-1-2.3-6(2), the Commission may approve the requested boundary line changes without a hearing.

4. Approval of Requested Boundary Modifications. Based on the foregoing findings, we find that the agreed-upon changes to the assigned service area boundaries located on U.S.G.S. Facet Maps U-5 and W-5-1, as specifically depicted in the Joint Petition and exhibits attached thereto, will promote economical, efficient, and adequate electric service to the public consistent with the legislative policy set forth in Indiana Code § 8-1-2.3-1 and, therefore, are approved.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

1. Joint Petitioners Indiana Michigan Power Company and Noble County REMC agreed upon service area boundary line changes, as set forth above and in the Joint Petition and exhibits attached thereto, and those changes are approved.

2. Within 30 days of the date of this Order, Joint Petitioners shall coordinate with Commission Technical Staff to update the service territory mapping system to reflect the modified service area boundary approved by this Order.

3. This Order shall be effective on and after the date of its approval.

HUSTON, FREEMAN, OBER, AND ZIEGNER CONCUR; KREVDA ABSENT:

APPROVED: APR 14 2021

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

Dana Kosco
Secretary of the Commission