

ORIGINAL

STATE OF INDIANA

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

INDIANA UTILITY REGULATORY COMMISSION

**IN THE MATTER OF THE JOINT PETITION OF)
SOUTHEASTERN INDIANA RURAL ELECTRIC)
MEMBERSHIP CORPORATION AND DUKE)
ENERGY INDIANA, LLC PURSUANT TO IND.) CAUSE NO. 45696
CODE § 8-1-2.3-6 FOR APPROVAL OF A)
CHANGE TO THE SERVICE AREA) APPROVED: MAY 25 2022
BOUNDARIES WITHIN U.S.G.S. FACET MAP Z-)
22-1 IN DEARBORN COUNTY, INDIANA)**

ORDER OF THE COMMISSION

**Presiding Officer:
Greg S. Loyd, Administrative Law Judge**

On March 17, 2022, Southeastern Indiana Rural Electric Membership Corporation (“Southeastern Indiana REMC”) and Duke Energy Indiana, LLC (“Duke Energy Indiana”) (collectively “Joint Petitioners”) filed their Verified Joint Petition to Modify Service Area Boundaries (“Joint Petition”). Pursuant to Ind. Code § 8-1-2.3-6(a)(2), Joint Petitioners seek Commission approval of electric service area boundary changes located on U.S.G.S. Facet Map Z-22-1 and more specifically identified in Exhibit A and Facet Exhibit A that are attached to the Petition. Southeastern Indiana REMC and Duke Energy Indiana mutually agree to this change. Verifications of Keith Mathews, General Manager for Southeastern Indiana REMC and Greg S. Mumford, Director Customer Delivery Area Operations for Duke Energy Indiana are attached to the Joint Petition.

The Commission, having considered the evidence and applicable law, now finds:

1. Commission Jurisdiction. Southeastern Indiana REMC is a corporation organized and existing under the laws of the State of Indiana, with its principal office in Osgood, Ripley County, Indiana. It is engaged in the business of distributing, furnishing, and selling retail electric service to the public in the Indiana, including Dearborn County.

Duke Energy Indiana is a limited liability company organized and existing under the laws of the State of Indiana and has its principal place of business in Plainfield, Hendricks County, Indiana. It is a wholly-owned subsidiary of Duke Energy Indiana Holdco LLC and an affiliate of Duke Energy Business Services LLC and Duke Energy Corporation. Duke Energy Indiana is a public utility engaged in the business of distributing, furnishing, and selling retail electric service to the public in Indiana, including Dearborn County.

Each Joint Petitioner is an “electricity supplier” as the term is defined by Ind. Code § 8-1-2.3-2(b). Joint Petitioners seek to modify their respective assigned service areas pursuant to Ind.

Code § 8-1-2.3-6(a)(2). Therefore, the Commission has jurisdiction over Joint Petitioners and the subject matter of this Cause.

2. Relief Sought. Joint Petitioners state a change in circumstances warrants modification of their service area boundaries established in Cause No. 36299-S225(X). The proposed service area modification involves property depicted on U.S.G.S. Facet Map Z-22-1 and in the two exhibits attached to the Joint Petition (Exhibit A and Facet Exhibit A). Joint Petitioners assert that the proposed service area boundary changes are merited because Southeastern REMC can more efficiently extend electric service to the above real estate than Duke Energy Indiana due to the proximity of Southeastern Indiana REMC's electric facilities. The proposed changes will result in an area of Duke Energy Indiana's service territory becoming part of Southeastern Indiana REMC's service area. As such, Southeastern Indiana REMC will gain service territory and Duke Energy Indiana will lose service territory.

The parties further assert that their proposed changes will not cause a duplication of electric utility facilities, waste of materials or resources, nor cause uneconomic, inefficient, or inadequate electric service to the public. There is no evidence to the contrary before the Commission in this proceeding.

3. Notice. Ind. Code § 8-1-2.3-6(a)(2) provides, in part:

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 [C]ommission may approve the change without a hearing.

The evidence shows that notice of Joint Petitioners' request for a change of boundary lines located on U.S.G.S. Facet Map Z-22-1 was published on March 29, 2022 in the Journal Press. This is a newspaper of general circulation in Dearborn County, the county in which the affected boundary lines are located. Proof of this publication was filed with the Commission on May 2, 2022. On May 2, 2022, Southeastern Indiana REMC certified that on March 22, 2022 it posted the notice attached as Exhibit B to the Joint Petition on its website. Duke Energy Indiana also certified on May 2, 2022 that it posted this same notice on its website on March 23, 2022. Each Joint Petitioner further certified that these website postings will remain for at least 30 days following the Final Order in 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 Ind. Code § 8-1-2.3-6(a)(2), the Commission may approve the requested boundary line changes without a hearing.

4. Approval of Requested Relief. Based upon the foregoing findings, the Commission concludes that the agreed upon boundary line modifications should be approved as set forth in Joint Petition Exhibit A and Facet Exhibit A. A review of the facet map indicates that

the new boundaries resulting from the modifications will promote economical, efficient, and adequate electric service to the public, consistent with the legislative policy set forth in Ind. Code § 8-1-2.3-1 and should therefore be approved.

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

1. Joint Petitioners' agreed upon service area boundary line modifications, as set forth in the Joint Petition Exhibit A and Facet Exhibit A are approved.

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

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

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

APPROVED: MAY 25 2022

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

_____ on behalf of
Dana Kosco
Secretary of the Commission