









Indiana Office of Utility Consumer Counselor

The State Agency Representing Utility Ratepayers

2024-2025 Annual Report

Our Mission

To represent all Indiana consumers to ensure quality, reliable utility services at the most reasonable prices possible through dedicated advocacy, consumer education and creative problem solving.



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Welcome

OUCC 2024-2025

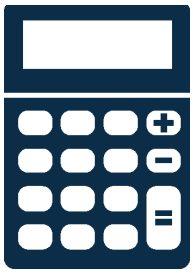
389 IURC dockets were open during State Fiscal Year 2025 (7/1/2024-6/30/2025).

$479.3 million is the difference between utility requests & amounts approved in IURC orders during the same fiscal year.

The consumer savings amount is divided by actual spending in OUCC's budget.

29 Base rate cases





155 Tracker cases

As Indiana's 25th Utility Consumer Counselor, I'm pleased to share the 2024-2025 Annual Report of the Indiana Office of Utility Consumer Counselor (OUCC). On behalf of our dedicated team of attorneys, accountants, economists, engineers, and support staff, I'm pleased to report yet another impactful year of advocacy and savings for Hoosiers.

During the 2024–2025 fiscal year, our team represented residential, commercial, and industrial energy and water customers in hundreds of cases before the Indiana Utility Regulatory Commission (IURC), the Federal Energy Regulatory Commission, and Indiana's appellate courts. Through strategic litigation and negotiation, we helped secure significant rate reductions and held utilities accountable thus ensuring more affordable, reliable service for Indiana consumers.

Our commitment to Indiana ratepayers is stronger than ever. Hoosiers are suffering from rising prices, and my team is dedicated to ensuring that consumer voices are heard.

I commend our talented professionals for their unwavering dedication not only this past year but across the decades of service that define the OUCC. I'm excited to continue to build on our legacy and forge new paths in utility advocacy for Indiana.

Thank you for your interest in our work. I invite you to explore this report along with our website to learn more about the happenings in utility regulation and how you can have a voice in these proceedings.



Abby R. Gray
Indiana Utility Consumer Counselor

Introduction

Each day, Hoosiers will turn on their lights, charge their cellphones, turn on their furnaces/air conditioners, make dinner, wash their dishes, and flush their toilets. Each small action throughout the day is simple enough. But it takes a steady and reliable supply of electricity, natural gas, and water to each home and business to make it all happen. The processes of delivering energy and water are very complex and involve numerous "behind the scenes" components that are necessary to make sure utility services are provided in a reliable, safe, and affordable way.

Electric, natural gas, water, and sewer utilities are monopoly service providers. As a result, the utility regulatory process serves as the surrogate for competition. This process happens at either the federal, state, or local government level depending on the utility.

State-regulated utilities, including Indiana's major investor-owned utilities, need approval from the Indiana Utility Regulatory Commission (IURC) to change their rates or issue financing. The IURC and public utility commissions in other states function much like civil courts. When a utility makes a request to the Commission, it does so through a formal, legal process through attorneys and expert witnesses. The Indiana Office of Utility Consumer Counselor (OUCC) is the state agency representing consumer interests in these cases, and does so with its teams of attorneys and technical witnesses, including accountants, economists, and engineers.

State law requires the IURC to consider evidence and weigh arguments from both sides - and from parties that may intervene - before making decisions and issuing orders. OUCC analysts and attorneys present formal testimony to the Commission after closely reviewing a utility's request. This includes reviewing hundreds and even thousands of pages of testimony, exhibits, and accounting work papers in any given case.

The OUCC does not establish policy on energy and water matters, but represents consumer interests within the framework set by the Indiana General Assembly. The Five Pillars of Electric Utility Service – reliability, affordability, resiliency, stability, and environmental sustainability - must be considered and balanced in all electric utility cases while setting examples for other utilities. Indiana law has established policy declaring the importance of affordability in all cases.

Certain utilities are not under IURC jurisdiction but are regulated at the local level instead. Most municipal water, sewer, electric, and natural gas utilities are regulated by elected city and town councils throughout the state. Each rural electric membership cooperative (REMC) is governed by a board of directors whose members are directly elected by the cooperative's customers, or member-owners.

Regulatory Overview

In the state of Indiana, electric, natural gas, and water/wastewater utilities operate as monopolies and thus require a regulatory system that serves as a surrogate for competition.

The Indiana Utility Regulatory Commission (IURC) is the state agency charged with facilitating that regulatory structure. Under state law, the Indiana Office of Utility Consumer Counselor (OUCC) is the state agency responsible for representing the public's interests.

The OUCC and IURC are separate state agencies. The IURC acts as the court, serving as the fact finder and decision maker, while the OUCC is a case participant advocating on behalf of all Indiana consumers.

Regulatory Basics

When an IURC-regulated utility seeks to change its rates, charges, or finances, it must receive the Commission's approval.

Public utility commissions throughout the U.S. consider utility requests in formal legal proceedings very similar to civil court cases. A major difference is that all parties present testimony and exhibits in writing due to the highly technical and complex nature of the issues being addressed. Hundreds or thousands of pages of information may be filed in a case, depending on its subject and complexity.

Once a utility files its case, the OUCC begins its analysis of the utility's written testimony and evidence on behalf of the public, using the extensive knowledge of our attorneys, accountants, engineers, and additional experts.

During initial review, the OUCC invites public comments from customers in each case to be filed for the formal Commission record.

After a thorough review, our analysts and attorneys develop and present detailed, persuasive, and well-researched testimony explaining their recommendations regarding the utility's proposal. Often, the OUCC will have multiple witnesses, each addressing different aspects of the case from their respective areas of expertise.

Additional parties may intervene in these cases and also present testimony and evidence. Examples include industrial customers, non-profit organizations, and municipalities.

After the OUCC files formal testimony, the utility has the opportunity to file written rebuttal. The IURC then holds a formal evidentiary hearing at which attorneys for each party may cross-examine other parties' technical witnesses.

After the hearing and before the Commission deliberates, all parties can file closing briefs and proposed orders.

It is important to remember that settlement agreements are possible in any legal case. The IURC has the authority to approve, deny, or modify any agreement it considers. A fair settlement can resolve contested issues and reduce the legal and consulting fees that result from litigation and are then passed through to customers in rates. When any agreement is reached, the settling parties must present evidence showing it to be in the public interest before it receives Commission approval.

Locally Regulated Utilities

While the IURC regulates many utilities, especially large investor-owned electric, natural gas, and water companies, many other utilities are locally regulated.

Municipal water, electric, and natural gas utilities may withdraw from IURC oversight under laws the Indiana General Assembly approved several decades ago. More than 90 percent of these utilities have done so. To withdraw from state-level oversight by the Commission, a municipality must follow specific processes in state law, including a vote by the elected city or town council, or a vote by the city or town's residents in a general election.

Municipal utility rules for billing and disconnection are approved at the local level regardless of whether the utility's rates and charges are regulated at the state level. State law does not give the IURC jurisdiction over municipal sewer utilities.

Similar to municipal utilities, state law allows rural electric membership cooperatives (REMCs) to withdraw from IURC oversight. All of the state's REMCs have withdrawn and are locally regulated by customer-elected boards of directors.

Certain investor-owned and not-for-profit sewer utilities are under IURC jurisdiction with the OUCC participating in cases involving them. However, most sewer utilities are operated by local governmental units with rates regulated solely at the local level. These include municipal sewer utilities, regional sewer districts, and conservancy districts.

Billing Basics

Bills look different depending on the utility, but the basic contents and structures are similar. Electric and natural gas utilities typically have two main rate components: base rates and trackers. Certain water/sewer utilities also use trackers.

Base Rates

Base rates cover most of a utility's existing infrastructure and operating/maintenance costs, and comprise the portion of the bill on which an investor-owned utility can earn a return on its investment. Changes can only be made through a rate case, in which the OUCC and IURC are able to conduct a full review of the utility's finances and financial health. State law requires most base rate cases to be completed within 300 days from start to finish.

Base rates are typically comprised of a fixed monthly charge that is the same for each residential customer and a volumetric charge based on the customer's usage.

Trackers

Trackers (sometimes called riders) allow for rate recovery of specific, variable costs as allowed by state law and approved by the IURC. Changes to a rate tracker require OUCC review and IURC approval but are considered under shorter timelines with a narrower scope. Trackers can adjust rates quarterly, every six months, or once a year. This report will later discuss trackers in more detail.

Taxes

Electric, natural gas, and water utilities in Indiana are required to charge the 7% state sales tax.

Case Overview

A rate case before the IURC includes the following steps & usually must be completed within 300 days. Other cases include most or all of these steps.

Utility Case-in-Chief
The utility presents its case through written testimony from expert witnesses.

Public Comments
Written consumer comments are invited for the record in all cases.

OUCC Review
OUCC technical experts & attorneys analyze the utility's filing & develop testimony on behalf of the public. This is typically a 3 ½-month review.

OUCC Testimony
OUCC attorneys & technical experts file analysis & recommendations.

Rebuttal Testimony
The utility may respond to OUCC & intervenor testimony.

Evidentiary Hearing
Attorneys for the OUCC, utility, & intervenors may cross-examine each other's technical witnesses.

Closing Arguments & Proposed Orders
The OUCC, utility, & intervenors may file closing briefs and proposed orders in the weeks following the evidentiary hearing.

Final Order
The IURC renders a decision after considering all evidence.

Indiana General Assembly

Elected State Senators & State Representatives determine Indiana's utility policy, as approved through statutes & interpreted by the courts. The OUCC & IURC work within the laws approved by the Legislature.

Indiana Utility Regulatory Commission

The Commission has jurisdiction over many utilities' rates & charges. State law requires the IURC to balance utility & customer interests while basing decisions on evidence it considers in each case.

Indiana Office of Utility Consumer Counselor

The state agency representing consumer interests in cases before the IURC. OUCC attorneys, accountants, economists, & engineers analyze utility requests & make recommendations through written testimony.





Adam Kashin (left) and Dan Le Vay (right) are attorneys serving the Legal Division.

Rate Cases

A general rate case – or base rate case – before the IURC allows for a full review of the utility's operations and finances. It is usually a 10-month process. During the case's first 3 ½ months, the OUCC completes a comprehensive legal and technical analysis of the utility's evidence and makes specific recommendations to the IURC through testimony and exhibits.

Rate case evidence includes written testimony, exhibits, and work papers, along with responses to legal discovery questions that may be asked by all parties. After the OUCC's analysis and recommendations are filed, the utility's attorneys may ask OUCC technical witnesses discovery questions, cross-examine them at an evidentiary hearing, or do both.

Likewise, the OUCC may cross-examine utility witnesses while additional parties may intervene as allowed by state law. After a case's evidentiary hearing concludes, the utility, OUCC, and intervenors will file closing arguments in writing through legal briefs, proposed orders, or both.

If a case is settled, the settling parties may submit a joint proposed order after the hearing. The IURC may accept, deny, or modify any settlement agreement it considers. Settling parties have the burden of proof to show the agreement is in the public interest.

Investor-Owned Utility Rate Cases

The OUCC has represented consumer interests in a number of rate cases throughout the State's most recent fiscal year. Issues examined in an investor-owned utility's rate case often include the utility's authorized return on equity, infrastructure investments, operating and maintenance costs, cost of service as it relates to various customer classes, and many additional factors.

CenterPoint Energy (45990)
The IURC issued new rates and charges via an approved settlement agreement between CenterPoint Energy and industrial customers in February 2025. The agreement allowed for an $80 million increase in annual revenues. The OUCC was not a party to the agreement and made recommendations that a $46.3 million increase was warranted instead based on the case's evidence and applicable law, primarily due to major capital improvements that received preapproval in prior IURC cases.

Duke Energy (46038)
New rates for Duke Energy received IURC approval in orders issued on Jan. 29, 2025, Feb. 3, 2025, Apr. 9, 2025, and Apr. 16, 2025. The approved increase in annual revenues is approximately $295.7 million, per the Feb. 3 order. Duke Energy had requested an increase of approximately $491.5 million, to be implemented in two phases. The OUCC recommended limiting the increase to about $184.7 million based on its analysis of the case's evidence.

NIPSCO Electric (46120)
Most parties to NIPSCO's most recent electric rate case, including the OUCC, reached a settlement agreement on the utility's request which received IURC approval on June 26, 2025. NIPSCO originally requested an annual revenue increase of about $368.7 million. The settlement agreement reduced the increase to approximately $257 million.

NIPSCO Gas (45967)
NIPSCO's current base rates were established in a July 31, 2024 IURC order. The order approved an increase of $120.9 million, a $41 million reduction from the utility's initial request. The OUCC filed testimony supporting the agreement on Mar. 25, 2024. All formal parties to the case either signed the agreement or agreed to not oppose it.

Boonville Natural Gas (45985-U)
The OUCC and Boonville Natural Gas Corporation reached a settlement in September 2024 in the pending rate case that would reduce the utility's requested increase from more than $1 Million to approximately $735,000. In its report, the OUCC recommended capping the increase at nearly $716,000.

Ohio Valley Gas (46011)
The IURC issued a final order in November 2024 approving the settlment agreement between the OUCC and the utility. The order approved an increase of $11 million, a $1 million reduction from the utility's initial request.

Indiana Utilities (46086)
The OUCC and Indiana Utilities reached a settlement in October 2024, which the Commission approved in February 2025.

South Eastern Natural Gas (46074-U)
New rates and charges for South Eastern Indiana Natural Gas Co. received IURC approval on Dec. 11, 2024. The Commission's order approved a settlement agreement between the OUCC and the utility. The agreement reduced the utility's requested increase from $439,000 to $301,000, a savings of $138,000 for customers."

Municipal Rate Cases

Most municipal water utilities have opted out of IURC jurisdiction, with their rates and charges set locally by elected city and town councils. Only 26 municipal utilities remain under IURC oversight for rates and charges, with their rules and regulations set locally. Municipal sewer utilities do not fall within IURC jurisdiction.

During the current fiscal year, the OUCC worked on four municipal rate cases. Most municipal utility cases result in settlements, and this fiscal year was no different. The OUCC reached settlements in three of the four following rate cases.

Anderson Municipal Water (46171)
In its Nov. 5, 2025 order, the IURC approved a 118.6 percent rate increase, to be phased in over the next five years. The City initially requested an increase of approximately 121 percent.

Chandler Municipal Water (46124)
A settlement agreement between the Town of Chandler and the OUCC has received Commission approval, setting new rates.

Columbus City Utilities (46173)
A settlement agreement between the OUCC and the City of Columbus on the City's water rates and finances received Commission approval on July 30, 2025.

Elkhart Municipal Water (46010)
The Commission's order in Cause No. 46010 approved a settlement agreement between the OUCC and the City.

Other Utility Rate Cases

Utilities with fewer than 8,000 customers can utilize the state's Small Utility Filing Procedure, which is aimed at reducing rate case expenses that are ultimately borne by customers. In these proceedings, the utilities utilize standardized forms instead of filing traditional testimony. This can alleviate the need to hire attorneys or rate consultants. The standard of OUCC and IURC review is the same in these cases as in traditional rate cases.

The following utilities had final orders in rate cases:
Eastern Heights Utilities (46084)
Everton Water Corp (46136-U)
Jackson County Water (46156)

- Marysville-Otisco-Nabb Water Corp (45955)
- Pleasantview Utilities (46220)
- Van Buren Water (46185-U)

Certificates of Public Convenience and Necessity (CPCN) & Clean Energy Projects

As Indiana and the nation continue to transition toward greater use of renewable energy, the costs for building and operating utilityscale solar and wind projects are reviewed by OUCC analysts as utilities and developers seek Commission approval. For a variety of reasons, utilities have also requested revisions and increases to approved costs for these projects.

In most of these cases, utilities will seek rate recovery for parts or all of the construction and financing costs as the projects are built and eventually placed into service. This applies to new natural gas generation, new renewable energy projects, and agreements through which a utility seeks to buy power on the wholesale market or purchase a new renewable facility once construction is complete. An increasing number of cases filed in the past year have sought approval for cost increases to projects that were previously approved.

In the State's most recent fiscal year, the OUCC was party to around 8 certificate of need filings.

Perhaps the largest project considered within the State's most recent fiscal year included the proposal from Duke Energy Indiana for new natural gas generation (46193) which received Commission approval. The $3.33 billion natural gas project involves the construction of two new combustion turbines at the site of the Cayuga generating station. The OUCC recommended denial because Duke failed to reasonably consider extending the life of the existing coal units, which the OUCC estimated to be around $450 million. A final order is expected in the 2025-2026 fiscal year.

Indiana Michigan Power (I&M) filed for the acquisition of the Oregon Clean Energy Generating Facility (46217) and Northern Indiana Public Service Company (NIPSCO) filed for the approval of the Templeton Project (46198). Both final orders are expected next fiscal year.

Wabash Valley Power Association (WVPA) requested to jointly purchase St. Joseph Energy Center with Hoosier Energy Rural Electric Membership Corporation, Inc. ("Hoosier Energy") and requested the financing and debt allocation the purchase required (46091 & 46092). The OUCC recommended approval of the acquisition, but noted the lack of an estimate to transfer the transmission from the PJM grid to the MISO grid. The IURC issued a final order in February 2025, granting the CPCN.

Indiana Municipal Power Agency (IMPA) requested approval of a combustion turbine electric generation project as well as sufficient bonds to finance the $337.9 million project (46109). This turbine will be completed in 2029 and have a 250 MW capacity. The OUCC recommended approval and the final order was issues April 9, 2025 approving the project and its associated costs.

CPCNs can be requested and approved for projects not related to electric generation, as well. Eco-Energy Natural Gas, LLC (46246), Ohio Valley Natual Gas Corporation (46240), Indiana Gas Company, Inc (46213), Maple Creek Energy (46125), NIPSCO (46041), and CenterPoint Energy North (46066) filed CPCNs which seek to address issues with gas storage and distribution.

Clean Energy Projects

Each major Indiana electric utility develops a 20-year plan for meeting the generation needs of current and future customers. These plans are updated every three years and submitted to the IURC. As each utility updates its integrated resource plan, it will hold a series of public meetings with stakeholders, including the OUCC, who will provide feedback and input for the utility's consideration. Once a completed IRP is submitted to the IURC, stakeholders may offer additional comments for the Commission and utility to consider. An IRP is not a binding plan and does not require formal Commission approval. Rate increases and cost recovery for specific projects are not a part of the IRP process but are handled separately in formal CPCN cases.

Electric

The electric industry throughout the United States continues to change dramatically due to market forces, federal environmental regulations, growing customer demand, and the need to repair and replace aging infrastructure.

These changes are affecting Indiana significantly because of the state's traditionally heavy reliance on coal for its electric generation. The percentage of coal used in Indiana's generation mix has fallen from more than 85 percent two decades ago to less than 50 percent now, following national trends.

Each of Indiana's five major electric utilities develops an "integrated resource plan" (IRP) every three years, which projects the utility's anticipated supply needs over the next two decades. The OUCC and additional stakeholders participate in numerous meetings and discussions as each plan is developed. IRPs are submitted to the Commission but are non-binding plans that do not require approval.

Requests for Certificates of Public Convenience and Necessity (CPCN) are the formally docketed cases in which utilities seek approval to build, operate, and/or purchase new generation facilities, or convert existing facilities to different fuel sources. Cases include new natural gas generation, new renewable energy projects, and agreements through which a utility seeks to buy power on the wholesale market. In most of these cases, utilities seek rate recovery for construction and financing costs as well as preapproval for future cost recovery in base rates.

OUCC analysts make recommendations on the cost-effectiveness of proposed CPCNs, with the IURC making the final decisions.

Supply Needs

The OUCC is carefully monitoring and following potential capacity shortfall concerns throughout the Midwestern United States. Four of Indiana's five major electric utilities belong to the Midcontinent Independent System Operator (MISO) with Indiana Michigan Power participating in the PJM Interconnection (PJM). MISO, PJM, and other regional transmission operators (RTOs) throughout North America oversee wholesale power markets and manage the transmission grid.

Issues facing RTOs include capacity reserve (or power supply) margins, generating unit retirements, federal environmental regulations accelerating retirements, a queue backlog for new energy sources, and demands for large loads by new customers. MISO's Summer 2025 forecasted projections range from a 2.7-gigawatt (GW) shortfall to a 1.1 GW surplus based on generation additions and other factors. PJM projects a shortfall of generation could begin as soon as 2029.

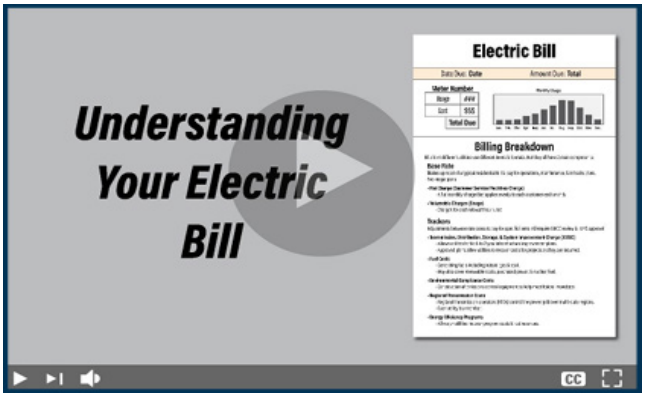
Transmission Development

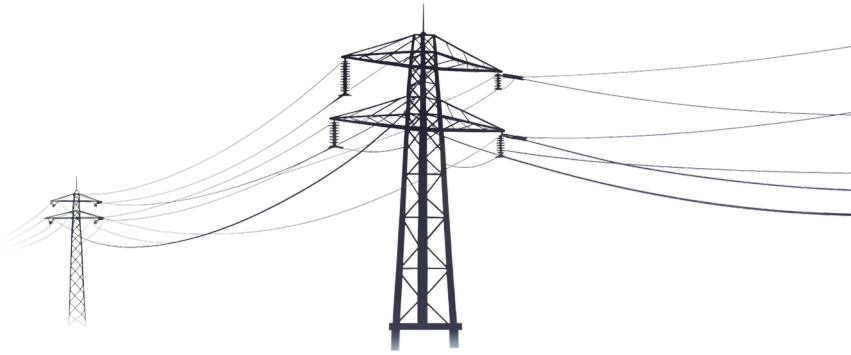


Arthur Iler (left) & Scott Jones (right) handle federal issues for the agency.

One of the most significant issues the nation faces is the need for new electric transmission. The interstate grid is aging, and parts are in need of replacement. In addition, new renewable energy facilities need new transmission infrastructure to connect to the grid. The retirements of coal-fired power plants and their replacements with new alternatives at different locations will necessitate the extension of new transmission lines and related infrastructure.

Transmission issues are playing an increasingly important role at the state and federal levels, including the costs and how they are recovered from customers. The OUCC's federal division intervenes in interstate transmission cases before the Federal Energy Regulatory Commission (FERC) as warranted, and participates regularly in the stakeholder input and planning processes for both regional transmission operators that serve Indiana (MISO and PJM).





Each grid operator and its highly specialized employees address numerous complex engineering, legal, and economic issues, both on a daily basis and in planning efforts for the long term. With regional transmission costs ultimately recovered through electric utility rates, consumer advocate participation at the federal and regional levels is vital.

What is a TDSIC?

Indiana law encourages electric and natural gas utilities to establish long-term infrastructure improvement plans and recover most costs through rates as they are incurred. The Indiana General Assembly enacted the Transmission, Distribution, and Storage System Improvement Charge (TDSIC) statute in 2013 and updated it in 2019.

Under the statute, a utility may file a five-to-seven year TDSIC plan with the Commission. If the plan is approved, the utility can then recover 80 percent of the costs as they are incurred through TDSIC tracker filings as often as every six months. The remaining 20 percent are deferred until the utility's next base rate case, which must be filed before the end of the plan's term.

When a utility seeks approval of a TDSIC plan, the OUCC reviews the request and makes recommendations based on the reasonableness of the proposed costs and on whether the proposed plan meets the TDSIC law's requirements. Once a plan is approved, OUCC analysts review utilities' accounting schedules, engineering designs, and actual costs incurred for completed projects in the tracker filings, determining whether any cost changes are both justifiable and reasonable.

Natural Gas

The OUCC's Natural Gas Division protects consumer interests by ensuring regulated utilities meet their legal obligations with prudent wholesale gas purchases, while closely scrutinizing gas utility supply costs that are passed through customer bills as allowed by Indiana law.

As with electric, water, and wastewater utilities, gas utility rate cases allow OUCC and Commission staff to fully review a natural gas utility's financial health and overall needs.

In several dozen cases each year, Gas Division analysts closely scrutinize pass-throughs of wholesale natural gas costs to customers, ensuring utilities meet their legal obligations to shop prudently in the wholesale market and meet the other requirements for recovering these costs through rates. During the fiscal year, the OUCC reviewed over $830 million in wholesale natural gas costs.

Service Territories

Each Indiana natural gas utility must receive IURC approval to serve specific territories. If the utility wants to expand its territory, it must receive Commission approval with the OUCC's review focused on ensuring the utility meets four statutory requirements: 1) The power and authority to obtain the certificate and render the requested service; 2) The financial ability to provide the requested service; 3) Provision of the requested service giving consideration to the availability of service from any gas utility authorized to serve end use customers within the geographic area; and 4) The public interest will be served by the approval.

Energy Efficiency

Like their electric counterparts, large natural gas utilities offer ratepayer-funded energy efficiency programs. OUCC gas division staff participate on the energy efficiency oversight boards for NIPSCO and CenterPoint Energy. Each year, OUCC analysts review the amounts these utilities spent for energy efficiency efforts, as well as reconciliations relating to over- or under-recovery of prior energy efficiency amounts.

Federal Mandates

OUCC analysts review proposed Commission rulemakings related to pipeline safety standards to ensure consumer interests are protected. The gas division stays up to date on both federal and state requirements to ensure appropriate ratemaking treatment, as it analyzes proposed Federally-Mandated Cost Adjustment Trackers (FMCAs). OUCC analysts file detailed, persuasive testimony in these cases helping ratepayers receive substantial savings.

Water & Wastewater

The OUCC's Water/Wastewater Division is involved in a broad range of matters before the IURC each year. These include water utility and wastewater utility requests to (1) increase rates and charges, (2) borrow funds for capital improvements (including through the State Revolving Fund Loan Program, the USDA Rural Development Loan Program, the open market, and local financial institutions), (3) borrow money or establish rates to fund lead service line replacements, (4) acquire the assets and operations of other utilities, and (5) receive special ratemaking treatment as noted later in this section.

Water/wastewater analysts also review applications and file testimony on sewer utility requests to expand service territories, territorial agreements/disputes, depreciation accrual rate studies, cost of service studies, and municipal regulatory ordinances. Many of the division's current responsibilities are the result of relatively new statutes that have increased the division's workload and imposed case-specific deadlines that make accomplishing the division's expanded responsibilities even more challenging.

Certain water and sewer utilities are regulated by the IURC, with the OUCC participating in docketed cases. Other utilities are regulated at the local government level instead. Municipal water utilities, for example, may withdraw from IURC jurisdiction over their rates and charges, with rates to be set by locally elected city and town councils. A number of investor-owned and not-for-profit sewer utilities are under IURC oversight. However, sewer utilities operated by local governmental units are regulated locally and not by the IURC. These include municipal sewer utilities, regional sewer districts, and conservancy districts.

Trackers

As with electric and natural gas utilities, water and wastewater utilities may use trackers to adjust rates between base rate cases and do so within expedited timeframes. Water/wastewater trackers created by the Indiana General Assembly include the Distribution System Improvement Charge (DSIC); the System Integrity Adjustment (SIA), which allows a utility to increase rates if it does not generate the level of revenues on which its rates were based; and the System Enhancement Improvement (SEI), which authorizes the Commission to approve service enhancement improvement charges in order to allow water and wastewater utilities to adjust their rates and charges to recover depreciation, property taxes, and pretax return incurred in connection with "eligible additions." Citizens Water, IAWC, and CUII have sought DSIC approvals in the last two years, with IAWC also seeking approval of a System Enhancement Improvement charge through two litigated cases. Separately, Citizens Water received Commission approval of a lead service line replacement plan in 2022, with updated cost recovery being approved more recently.

Additional Issues

The OUCC's Water/Wastewater Division reviews applications by new and existing utilities to establish or expand service territory boundaries, along with territorial agreements and disputes, and issues pertaining to troubled utilities, including those with financial difficulties, environmental issues, or both.

Our Staff

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Sara Marichal - Utility Analyst
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LaCresha Vaulx – Utility Analyst

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