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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE JOINT)
PETITION OF DUKE ENERGY INDIANA,)
INC. AND UNITED RURAL ELECTRIC) CAUSE NO. 44167
MEMBERSHIP CORPORATION PURSUANT)
TO IND. CODE 8-1-2.3-6 FOR APPROVAL)
OF TWO CHANGES TO SERVICE AREA) APPROVED: MAY 30 2012
BOUNDARIES WITHIN U.S.G.S. FACETS)
NO. T-8-1 AND V-9.)

ORDER OF THE COMMISSION

Presiding Officer:
Jeffery A. Earl, Administrative Law Judge

On March 15, 2012, Duke Energy of Indiana, Inc. ("Duke") and United Rural Electric Membership Corporation ("United REMC") (collectively, "Joint Petitioners") filed a Verified Joint Petition to Modify Service Area Boundaries ("Joint Petition") with the Indiana Utility Regulatory Commission ("Commission"). On May 15, 2012, Joint Petitioners filed a Proof of Publication of notice of this Cause.

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

1. Commission Jurisdiction. United REMC is a rural electric membership corporation organized and existing under the laws of the State of Indiana, with its principal place of business located in Markle, Huntington County, Indiana. United REMC is engaged in the business of distributing, furnishing, and selling retail electric service to the public in Huntington and other counties in the State of Indiana and has charter authority to do so.

Duke is a corporation organized and existing under the laws of the State of Indiana, with its principal office in the Town of Plainfield, Hendricks County, Indiana. It is engaged in the business of distributing, furnishing, and selling retail electric service to the public in various counties in the State of Indiana, including Huntington County, and has charter authority to do so.

Each Joint Petitioner is an "electricity supplier" within the meaning of Ind. Code § 8-1-2.3-2(b). Joint Petitioners have sought the Commission's approval to change their service area boundaries pursuant to Ind. Code § 8-1-2.3-6(2), which provides that the assigned service area boundaries of electricity suppliers may be changed upon a mutual agreement of the affected electricity suppliers and the approval of this Commission. Therefore, the Commission has jurisdiction over the Joint Petitioners and the subject matter of the Joint Petition.

2. **Relief Sought.** Pursuant to Ind. Code § 8-1-2.3-6(2), the Joint Petition seeks Commission approval of the electric service area boundary changes to which United REMC and Duke have mutually agreed. Joint Petitioners have agreed to change service area boundaries located on U.S.G.S. Facet Map T-8-1 (the “T-8 Area”) and on U.S.G.S. Facet Map V-9 (the “V-9 Area”) in Huntington County, Indiana. Drawings of the agreed upon boundary changes were attached to the Joint Petition.

Joint Petitioners assert that since the initial approval of the service area boundaries on January 29, 1986, in Cause No. 36299-S210(X), certain modifications to the boundaries located on the T-8 Area and the V-9 Area are required in order to allow electric service to be provided in a manner consistent with good electrical utility engineering practice. Joint Exhibit 1 consists of a screen view of the pertinent portion of the existing T-8 Area. Joint Exhibit 2 depicts a detailed drawing of the proposed territory to be transferred from United REMC to Duke. Joint Exhibit 3 consists of a screen view of the pertinent portion of the existing V-9 Area. Joint Exhibit 4 consists of a detailed drawing of the proposed territory to be transferred from Duke to United REMC. Joint Petitioners state that the proposed modifications detailed in the Joint Petition and attached exhibits will not cause: a duplication of electric utility facilities; waste of materials or resources; or 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(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 evidence shows that notice of Joint Petitioners’ petition for a change of boundary lines located on the T-8 Area and the V-9 Area was published on April 11, 2012, in *The Herald Press*. This is a newspaper of general circulation in Huntington County, Indiana, which is the County where the affected boundary lines are located. Proof of publication of this notice was filed with this Commission, and is hereby incorporated into the record of this Cause. Twenty (20) 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(2), the Commission may approve the requested boundary line change without a hearing.

4. **Approval of Requested Boundary Line Modification.** Based upon the findings above, the Commission concludes that the agreed upon change to Joint Petitioners’ respective assigned service area boundaries located on the T-8 Area and the V-9 Area in Huntington County, as specifically depicted in the Joint Petition and attached Exhibits, will promote economical, efficient, and adequate electric service to the public consistent with the legislative policies set forth in Ind. Code § 8-1-2.3-1.

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

1. Joint Petitioners' agreed change in service area boundary lines as set forth above and in the Joint Petition and attached Exhibits are approved.
2. Within thirty (30) days of the date of this Order, Joint Petitioners shall coordinate with Commission's 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.

ATTERHOLT, BENNETT, LANDIS AND MAYS CONCUR; ZIEGNER ABSENT:

APPROVED: MAY 30 2012

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


Brenda A. Howe
Secretary to the Commission