

# STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION  
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July 24, 2012

Mr. Adam M. Horst  
Director, State Budget Agency  
200 West Washington Street, Room 212  
Indianapolis, IN 46204

VIA ELECTRONIC MAIL

RE: LSA Document #12-442

Dear Mr. Horst:

The Indiana Utility Regulatory Commission (“IURC”) hereby submits its draft Proposed Rule to the State Budget Agency (“SBA”). This Proposed Rule will establish procedures by which a municipality or users of the works whose property is located outside the corporate boundaries of the municipality may file a petition under IC §8-1.5-3-8.3 (d) and IC §8-1.5-3-8.3 (e) for expedited review and approval by the IURC. Attached to this cover email are the following documents:

- SBA Rule Promulgation Submission Form
- Draft Proposed Rule
- Fiscal Impact Analysis on State and Local Government (FMC 2010-4)
- Cost Benefit Analysis (IC 4-3-22-13, IC 4-22-2-28, FMC 2010-4)
- The Notice of Intent (IC 4-22-2-23)
- Small Business Economic Impact Statement (IC 4-22-2.1-1)

The Commission is requesting expedited review of this rule because it sets forth the procedure for parties wishing to file a petition challenging certain rates and charges under newly enacted IC 8-1.5-3-8.3. Under Sec. 8.3, the time frame for filing these petitions is limited to fourteen days after the ordinance setting the rates is enacted. Therefore, it is necessary to have a permanent rule in effect at the earliest possible date so that there is not a regulatory lapse. There is an emergency rule currently in effect; if extended, it will expire 180 days from the date it was adopted. In addition, there is no fiscal impact to state or local governments as a result of the proposed rule.

Please contact me if you have any questions or if you need any additional information. Thank you for your consideration.

Sincerely,

Carol A. Stephan  
Assistant General Counsel  
Indiana Utility Regulatory Commission  
Direct line: (317) 234-4715