

**STATE OF INDIANA**  
**INDIANA UTILITY REGULATORY COMMISSION**

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**IN RE: NOTICE OF PROPOSED RULEMAKING**

**IURC RM #09-09**  
**LSA Document #09-478**

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**COMMENTS OF THE INDIANA OFFICE**  
**OF UTILITY CONSUMER COUNSELOR**

The Indiana Office of Utility Consumer Counselor (“OUCC”) submits the following comments regarding Indiana Utility Regulatory Commission Proposed Rulemaking RM #09-09 (LSA Document #09-478), which will delete numerous sections of 170 IAC 7-1.2 and 170 IAC 7-1.3, in response to relatively recent changes in Indiana law that substantially deregulated retail communications services provided within the State of Indiana. (See P.L. 27-2006, a/k/a HEA 1279, now codified in various Articles and Sections of Title 8 of the Indiana Code.)

From a consumer protection standpoint, it may be difficult to let go of long-standing, traditional consumer safeguards. However, HEA 1279 requires the Commission to release its long-held consumer protection role as those responsibilities are legislatively shifted onto the shoulders of a marketplace that was legislatively deemed

competitive in 2006. The quality and price of communications services provided in the State of Indiana are now controlled by competitive market forces.

As it did in implementing the predecessor telecommunications alternative regulatory statute, long codified at Ind. Cod 8-1-2.6, the Commission has acted with purpose and dispatch in carrying out statutory directives under Indiana's new deregulatory statute. The Commission has worked with industry and other interested parties to draft a proposed rule that will minimize future regulatory imposition on the market freedoms now enjoyed by Indiana communications service providers. Many Indiana consumers continue to benefit from increased competition and increased investments in broadband, cellular, and other communications infrastructure improvements that the Indiana General Assembly has invited and continues to encourage in this state through Indiana's commitment to deregulating retail communications services.

Respectfully submitted,

*/s/ Karol H. Krohn*

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