



INDIANA DEPARTMENT OF TRANSPORTATION

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Room N725
Indianapolis, Indiana 46204

Phone: 317 232-5095

Eric Holcomb, Governor
Joe McGuinness, Commissioner

FILED

August 21, 2024

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INDIANA STATE
ETHICS COMMISSION

Katherine Noel, Chair
Indiana State Ethics Commission
315 West Ohio Street, Room 104
Indianapolis, Indiana 46202

RE: Waiver of Application of 42 IAC 1-5-1 (the "Gift Rule") for Certain Items of Value That Will Be Received by an INDOT Employee for Electrify Indiana being held August 25-26, 2024.

Chairperson Noel:

Commissioner Michael J. Smith, the appointing authority of the Indiana State Department of Transportation ("INDOT"), has designated authority to me as the agency's ethics officer to waive application of the Gift Rule in individual cases when consistent with the public interest. I am hereby waiving application of 42 IAC 1-5-1 (a) for the INDOT employee, George Mccue, so that he may attend Electrify Indiana 2024 event on August 25-26, 2024. The host sponsors of this event are Hoosier Energy, Indiana Electric Cooperatives, and Wabash Valley Power Alliance ("Host Sponsors"). Mr. Mccue will benefit from attendance for the reasons provided below.

Electrify Indiana 2024 will be held at the Westin in Indianapolis, Indiana. Mr. Mccue will attend Electrify Indiana 2024, and he will not be required to pay a registration fee, which will cover the cost of attendance, lunch, and other snacks and drink. The registration fee for Mr. Mccue will be covered by the Host Sponsors. The total value of the items of value transmitted to George Mccue will be approximately Three Hundred and Fifty Dollars (\$350.00) per person.

None of the host sponsors that are sponsoring the Electrify Indiana 2024 event from which INDOT's expenses will be covered, have a business relationship with INDOT, or can seek to influence an action by one or more INDOT personnel in his or her official capacity. Electrify Indiana 2024 event is only an event that its sole purpose is to allow attendees to be educated on the three different areas that interact with electric utilities, Residential, Utilities, and Transportation. George Mccue is the Electric Vehicle Program Director for INDOT and will benefit from information obtained from this event.

George Mccue, covered by this waiver, was instructed to not accept any other item of value from any other person if that person may have a business relationship with INDOT or may seek to influence an action by one or more INDOT personnel in his or her official capacity. Mr. Mccue was also informed that the safest course of action is to assume that everyone attending Electrify Indiana 2024 event has a business relationship with INDOT or may otherwise have an interest in influencing Department operations.

Electrify Indiana 2024 is primarily educational in nature, with some networking opportunities as well. The INDOT employee, George Mccue, will attend all educational sessions, as well as participate in

networking opportunities. Mr. Mccue will be available to answer attendees' questions about doing business with INDOT, and INDOT operations.

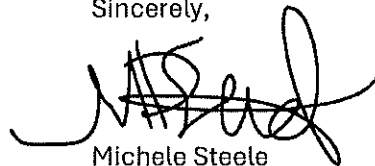
George Mccue is the Electric Vehicle Program Director for INDOT and works specifically with Research and Development and Connected Autonomous Vehicles, who works in overseeing the program for electric vehicles as it relates to the transportation industry. The professional services of Mr. Mccue will be enhanced by learning about evolving means and methods in the electric vehicle industry, and from exchanging ideas with industry stakeholders in attendance. The covered INDOT employee will greatly benefit from both the classroom portions of the event as well as the vendor expositions. The attending employee is tasked with identifying electric vehicle industry trends, marketing ideas, how electric bucket trucks impact utilities, and the impact of electric vehicles and current investment trends and how those may affect Department projects. Accordingly, Mr. Mccue is in a position with the Department that benefits from the attendance of Electrify Indiana 2024, through the educational, vendor, and networking components of the event.

Indiana Code 8-23-2- 4.1(4)(A) provides that INDOT is responsible for the "construction, reconstruction, improvement, maintenance, and repair of (state) highways" and Indiana Code 8-23-2- 5(a)(4) imposes upon INDOT the statutory duty in to "evaluate and utilize whenever possible improved transportation facility maintenance and construction techniques." By attending Electrify Indiana 2024, Mr. Mccue will be educated concerning developments in the electric vehicle industry. Mr. Mccue will further have the opportunity to build better partnerships with attendee firms that do business with the Department and educate industry members regarding INDOT operations.

Therefore, it is my opinion that it is consistent with the public interest for George Mccue, Electric Vehicle Program Director, to attend Electrify Indiana 2024 on August 25-26, 2024, and to have received the items of value specified above, even though payment for these items were made from host sponsors and could reasonably be inferred that the gift could influence Mr. Mccue to give special consideration to an action in his official capacity. Based on this finding, I am hereby waiving application of 42 IAC 1-5-1 (a) to allow George Mccue to accept registration fees, lunch, snacks and drinks for Electrify Indiana 2024, with a total value of Three Hundred Fifty Dollars (\$350.00) per person.

If you need additional information or have any questions about this letter, please feel free to contact me at (317) 719-6624 or msteele@indot.in.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'MSteele', written over a horizontal line.

Michele Steele

Director of Compliance and Ethics Officer
Indiana Department of Transportation