

**VIA EMAIL**

November 15, 2024

Jeremy Comeau  
Assistant General Counsel  
Indiana Utility Regulatory Commission  
101 W. Washington St., Ste. 1500 East  
Indianapolis, IN 46204

*Re:* LSA Document #24-392/Regulatory Analysis-Small Business Economic Impact Statement

Dear Mr. Comeau,

Pursuant to Indiana Code 4-22-2.1-5(c)(2), as the Small Business Ombudsman for the state of Indiana, I have reviewed the proposed rule and regulatory analysis associated with the rule changes contained in LSA Document #24-392 (proposed rule) submitted to the Indiana Small Business Ombudsman by the Indiana Utility Regulatory Commission (IURC). I have found the following to be true.

Proposed rule LSA #24-392 adds 170 Indiana Administrative Code (IAC) 7-1.3-8-2, which sets forth a codification of various fees, fines, and outlines of factors which may determine when a specific fee or fine is applicable, as it relates to the telecommunications industry in Indiana. The justification for the proposed rule is founded within Indiana Code (IC) 4-22-2-19.6, which mandates state agencies codify existing fees, fines, and penalties. The proposed rule does not create new or increased fees or penalty fines, rather codifies existing practices within the Indiana telecommunications industry.

The IURC's provided analysis displays a proper due diligence and understanding of how implementation must be carried out to ensure compliance. The impact to small businesses by the proposed rule appears to be minimal, if any, as no new fines or fees are being imposed. There is an indeterminant number of the 812 existing telecommunications carriers, communications service providers, and vide service providers operating within Indiana that are considered small businesses. However, again, the proposed rule does not change current practice of fee and penalty fine levels, and as such simply codifies existing policies. Based upon this statement and review, the Indiana Small Business Ombudsman supports the proposed rule related to the economic impact on small business if the IURC's conclusion reflects the actual result after promulgation. If there are any questions about these comments, please contact me at [ombudsman@iedc.in.gov](mailto:ombudsman@iedc.in.gov).

Sincerely,  
Matt Jaworowski  
Small Business Ombudsman  
Indiana Economic Development Corporation