

Sample Municipality's Petition for filings under subsection (d)

STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION

PETITION FOR COMMISSION REVIEW)
AND ADJUSTMENT, IF NECESSARY,)
OF RATE AND CHARGE DIFFERENCE)
BETWEEN PROPERTY WITHIN AND) CAUSE NO.
PROPERTY OUTSIDE THE CORPORATE)
BOUNDARIES OF _____)
(MUNICIPALITY))

Pursuant to IC 8-1.5-3-8.3(d), Petitioner, _____, (Municipality), by counsel, respectfully petitions the Indiana Utility Regulatory Commission ("Commission") to review and adjust, if necessary, the rates and charges imposed on property outside the corporate boundaries of _____ (Municipality). In support of its Petition, Petitioner states:

1. On _____ (date), _____ (Municipality) adopted an ordinance under [IC 8-1.5-3-8.1 or IC 36-9-23-36] which imposed rates and charges on users of the works for service to property located outside the corporate boundaries of _____ (Municipality) that exceed the rates and charges imposed on users of the works for service to property located within the municipality's corporate boundaries by the sum of the percentage difference approved or considered approved by the Commission under subsection (c) plus fifteen percent (15%). Attached as "Exhibit A" is a copy of the ordinance.
2. Under IC 8-1.5-3-8.3(d), either or both the municipality, or the lesser of ten percent (10%) of all or twenty-five (25) of the users of the works whose property is located outside the corporate boundaries of the municipality may petition the Commission to review the percentage difference between the rates and charges in order to determine whether the difference is nondiscriminatory, reasonable, and just.
3. In accordance with IC 8-1.5-3-8.3(d)(1) this petition is brought by _____ (Municipality).
4. The percentage difference between the rates and charges imposed on users of the works for service to property located outside the corporate boundaries of the municipality and to property located within the corporate boundaries is _____.
5. The rate differential between the property located outside and inside the corporate boundaries is nondiscriminatory, reasonable and just because _____.
6. Other facts or information petitioner believes is relevant for the commission to consider:
_____.
7. Petitioner considers IC 8-1.5-3-8.3(d) and (identify any other statutes determined to be relevant) to be applicable to the relief requested by this Petition.
8. _____ is counsel of record for Petitioner in this matter and is duly authorized to accept service of papers in this cause on behalf of Petitioner.

WHEREFORE Petitioner respectfully requests the Commission to review the percentage difference between the respective rates and charges and determine whether the difference is discriminatory, unreasonable and unjust, and if necessary, adjust the rates and charges imposed on the users of the works whose property is located outside the corporate boundaries of the municipality, and for all other just and reasonable relief.

Respectfully submitted,

Attorney for Petitioner

Verification

I, _____, affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Signed _____ (Representative of the Municipality)

Attorney Contact Information