

STATE OF INDIANA
INDIANA UTILITY REGULATORY COMMISSION

IN RE: NOTICE OF PROPOSED RULEMAKING

IURC RM #12-06
LSA Document #12-442

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 (Commission) Proposed Rulemaking RM #12-06 (LSA Document #12-442), to 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 regarding certain rates and charges. This rulemaking will establish a final rule to take the place of the emergency rule (RM#12-06, LSA#12-433).

The proposed rule was approved by the Commission on October 17, 2012. Section 4(a) of the proposed rule enumerates requirements the municipality must provide in its notice to customers. Specifically in reference to Section 4(a)(5), wherein the proposed rule requires the notice to contain a statement informing the customers that they may contact the OUCC concerning complaints they may have under the rule, and Section

4(a)(6) follows with providing the customers with contact for the OUCC, presumably regarding a complaint.

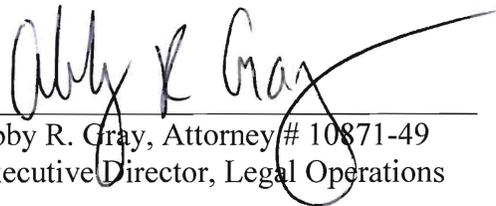
In an effort to eliminate confusion and duplicative work in the consumer services area, the Commission and OUCC convened a joint task force, the results of which were outlined in a joint press release issued on September 14, 2011 delineating the roles of the two agencies. The Commission, through its consumer affairs division is to handle all consumer complaints.

Therefore, the OUCC respectfully requests that the language be changed in Section 4(a)(5) and Section 4(a)(6) from the "OUCC" to the "Commission" for the handling of complaints under this rule.

The OUCC would also offer a proposed change to clarify the language in the proposed rule. Specifically, there is a "Form A Sample Customers' Petition" in the proposed rule. Paragraph 3 of the sample petition, states: "In accordance with this petition is brought "by and on behalf of"...."

The OUCC respectfully requests the Commission delete the words "and on behalf of" as they are not contained in IC 8-1.5-3-8.3 and may cause confusion regarding standing.

Respectfully submitted,



Abby R. Gray, Attorney # 10871-49
Executive Director, Legal Operations

INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR

115 West Washington Street, Suite 1500 South

Indianapolis, IN 46204

infomgt@oucc.in.gov

317-232-2494 - Telephone

317-232-5923 - Facsimile