



Public Field Hearings

Indiana Office Of Utility Consumer Counselor

A Brief Overview

The Indiana Utility Regulatory Commission (IURC) holds public field hearings in certain cases.

State law requires a public field hearing in a rate case when a utility seeks at least \$2.5 million in new annual revenues. The hearing is held in the largest municipality the utility serves.

Additional field hearings, including those in other cases, can be held at the IURC's discretion.

The Indiana Office of Utility Consumer Counselor (OUCC) represents the public and facilitates public participation in these hearings.

A field hearing has one purpose: To give you the chance to comment.

The Indiana Office of Utility Consumer Counselor (OUCC) is the separate state agency that represents the interests of all ratepayers in IURC cases.

- Consumers can speak directly to the Commission under oath and on the record.
- Written consumer comments are also invited for the case record.
- Utilities do not make presentations or answer questions during field hearings. They file written testimony and exhibits. They can be cross-examined by the OUCC and questioned by the IURC at a separate hearing.
- Commissioners are not allowed to answer questions about the case. They will ultimately render a decision after weighing evidence from the utility, the OUCC, and additional parties that have intervened or may intervene.
- OUCC staff is available before, during, and after the hearing to address questions about the process.

Who's Involved?

Indiana Utility Regulatory Commission (IURC)

The IURC sets rates and charges for many Indiana utilities. It is required to balance utility and consumer interests when making its decisions and must base decisions on the evidence in the case record. At a public field hearing:

At least one **Commissioner** is present. Commissioners consider all evidence in each case, including consumer comments.

An **Administrative Law Judge** presides over the hearing. The judge will swear in all individuals who wish to testify.

Because a rate case is a legal proceeding, the Commissioners and judge are unable to discuss the case or answer questions.

An **IURC Court Reporter** transcribes the hearing for the official case record.

Indiana Office of Utility Consumer Counselor (OUCC)

The OUCC is a separate state agency and represents the interests of all consumers in cases before the IURC. OUCC attorneys and technical experts review utility requests and file testimony on behalf of the public at large.

At a public field hearing, an OUCC attorney will call consumers forward if they have signed up to speak.

Additional Parties

An attorney representing the utility is present for most public field hearings.

Additional parties can intervene in IURC cases and may also have attorneys present for field hearings.

Frequently Asked Questions

Q. How do I get to speak?

A. Simply complete the top half of the witness form and return it to the OUCC table. Our attorney will call you forward during the hearing.

Q. Do I have to speak?

A. No. Participation is voluntary. You are welcome to provide written comments either by using the witness form or sending them to the OUCC by mail, email, or through our website.

Q. Why isn't the utility making a presentation or answering questions?

A. A field hearing is one of many steps in a rate case, and its entire focus is on giving the consumer the chance to comment. Early in a case, the utility's witnesses (including accountants, engineers, etc.) file testimony and exhibits with the IURC in writing. Those witnesses are subject to questions from the OUCC, intervening parties, and the IURC at a separate hearing.*

Q. Why aren't the Commissioners and Judge answering questions?

A. Their job is to review all evidence in the case and render a final decision based on their review. Commissioners and Administrative Law Judges are in a position similar to that of a judge in a local Circuit or Superior Court.

Q. Will I be asked questions during my testimony?

A. The OUCC's attorney will ask you to state and spell your name for the court reporter. Attorneys for the utility and intervening parties may participate, though follow-up questions are rare.

Q. How can I be most effective at the microphone?

A. Most importantly, speak clearly so the court reporter can accurately transcribe your testimony. We want you to have ample time to share your thoughts and recommendations. But please be mindful of others who wish to speak, including their time.

Q. Why shouldn't I cheer or applaud the speakers?

A. We need to make sure the court reporter can accurately record each speaker. This is a formal, legal proceeding and all oral testimony becomes evidence in the case.

Q. What happens after the field hearing?

A. The Commission's final order is normally issued several weeks or months later. Before then, the OUCC will file formal testimony, the utility may file rebuttal, witnesses for both sides are subject to cross-examination at an upcoming hearing, and the parties will file closing briefs.

Q. What if I don't want to speak? How can I make sure my voice is heard?

A. Written consumer comments carry the same weight as oral testimony at field hearings. The OUCC files all written comments for the case record if the comments are received at least one week before the OUCC's testimonial deadline. Comments can be submitted by email at uccinfo@oucc.in.gov, through our website, or at the mailing address below.

*An exception is a case filed under the Small Utility Filing Procedure. These cases do not have evidentiary hearings in order to reduce legal and technical costs that are recoverable through rates. However, Small Utility Filing Procedure cases receive the same scrutiny and standard of review as other rate requests.

Fast Facts from the Indiana Office Of Utility Consumer Counselor (OUCC)

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Our Mission: To represent all Indiana consumers to ensure quality, reliable utility services at the most reasonable prices possible through dedicated advocacy, consumer education and creative problem solving.



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