

**STATE OF INDIANA**

**INDIANA UTILITY REGULATORY COMMISSION**

**IN THE MATTER OF THE PETITION OF THE  
TOWN OF WINFIELD, LAKE COUNTY,  
INDIANA, FOR APPROVAL OF A  
REGULATORY ORDINANCE ESTABLISHING A  
SERVICE AREA FOR THE TOWN'S MUNICIPAL  
SEWER SYSTEM PURSUANT TO IND. CODE § 8-  
1.5-6 ET SEQ.**

**CAUSE NO. 45992**

**PREFILED DIRECT TESTIMONY AND EXHIBITS  
OF ZACHARY BEAVER**

Verified Prefiled Direct Testimony of Zachary Beaver	<u>Petitioner's Exhibit 1</u>
Winfield Territorial Ordinance, Ordinance No. 358	<u>Petitioner's Exhibit 2</u>
2006 Comprehensive Master Plan	<u>Petitioner's Exhibit 3</u>
2023 Comprehensive Master Plan	<u>Petitioner's Exhibit 4</u>

Respectfully submitted,



J. Christopher Janak, Atty. No. 18499-49  
Jacob Antrim, Atty No. 36762-49  
Gregory Loyd, Atty No. 23657-9  
BOSE MCKINNEY & EVANS LLP  
111 Monument Circle, Suite 2700  
Indianapolis, IN 46204  
(317) 684-5000 | (317) 684-5173 Fax  
[cjanak@boselaw.com](mailto:cjanak@boselaw.com) | [gloyd@boselaw.com](mailto:gloyd@boselaw.com)  
[jantrim@boselaw.com](mailto:jantrim@boselaw.com)

David M. Austgen, No. 3895-45  
AUSTGEN KUIPER JASAITIS P.C.  
130 N. Main Street  
Crown Point, Indiana 46307  
(219) 663-5600 | (219) 662-3519 Fax

*Counsel for the Town of Winfield, Lake County, Indiana*

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[cjanak@boselaw.com](mailto:cjanak@boselaw.com) | [gloyd@boselaw.com](mailto:gloyd@boselaw.com)  
[jantrim@boselaw.com](mailto:jantrim@boselaw.com)

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**ON BEHALF OF**  
**THE TOWN OF WINFIELD, LAKE COUNTY, INDIANA**

**I.**  
**INTRODUCTION**

**1. Q PLEASE STATE YOUR NAME, OCCUPATION, AND BUSINESS ADDRESS.**

A My name is Zachary Beaver, and I am employed as an attorney for Residual Based Finance Corporation. My business address is 70 W. Madison Street, Suite 2200, Chicago, IL 60602.

**2. Q PLEASE SUMMARIZE YOUR PROFESSIONAL AND EDUCATIONAL QUALIFICATIONS?**

A From 2005 until 2008, I served as an Infantryman in the United States Army. Between 2009 and 2012, I obtained a Bachelor of Arts in Political Science from Indiana University. From 2012 until 2018, I served as an Indiana State Trooper, patrolling Lake, Jasper, and Newton Counties. In 2018, I completed the part-time program at Chicago-Kent College of Law, where I obtained a Juris Doctorate degree. Since 2019, I have practiced law in Indiana and Illinois in the areas of corporate finance, general corporate, and asset backed lending and leasing. Additionally, I have continued to actively serve the broader Winfield community as an elected official as a member of both the Winfield Township Board (elected in 2018) and the Winfield Town Council (elected in 2019 and re-elected in 2022). While in those positions, I have been directly involved in policymaking for the entire Winfield Township area in matters relating to public safety, tax and finance,

1 stormwater, and sewer, most recently as the Town of Winfield Sewer Board  
2 President.

3 **3. Q ARE YOU A RESIDENT OF THE TOWN OF WINFIELD, INDIANA**  
4 **(“WINFIELD”)?**

5 A Yes, I am. I moved to Winfield in 2014 and have been a resident ever since.

6 **4. Q WHAT IS YOUR RELATIONSHIP WITH WINFIELD?**

7 A As stated above, I am a Winfield resident and a member of the Winfield Town  
8 Council and Winfield Sewer Board. I have been on the Town Council since January  
9 2020, and I currently serve as its President. Among my numerous functions as a  
10 town representative, I have personally been involved in the on-going discussions  
11 with the City of Crown Point, Indiana (“Crown Point”), and a number of other  
12 community stakeholders, businesses, and potential developers, including an  
13 intervenor in this case, LBL Development, Inc. (“LBL”), who have an interest in  
14 receiving sewer service in Winfield’s proposed service area.

15 **5. Q WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS CAUSE?**

16 A The purpose of my testimony is four-fold. I will discuss the: (i) adoption of a  
17 regulatory ordinance, Winfield’s historical efforts to serve, and the location of  
18 Winfield’s proposed service area (“Winfield Service Territory”); (ii) ability of  
19 another provider to serve the Winfield Service Territory; (iii) status of development  
20 in the Winfield Service Territory and Winfield’s communication with stakeholders;

1 and (iv) potential impact on rates and economic development in the Winfield  
2 Service Territory if Winfield is authorized to be the exclusive service provider.

3 **II.**  
4 **ADOPTION OF A REGULATORY ORDINANCE, WINFIELD'S HISTORICAL**  
5 **EFFORTS TO SERVE, AND THE LOCATION OF THE PROPOSED SERVICE**  
6 **AREA**  
7

8 **6. Q HAS WINFIELD ADOPTED A REGULATORY OR SEWER**  
9 **TERRITORIAL ORDINANCE?**

10 A Yes, it has. On December 12, 2023, Winfield adopted Ordinance No. 358 in which  
11 it sought to establish an exclusive sewer service Territory ("Winfield Service  
12 Territory"). For the Commission's reference, I am attaching a copy of Ordinance  
13 No. 358 with all exhibits as Petitioner's Exhibit 2.

14 **7. Q PLEASE GENERALLY DESCRIBE THE LOCATION OF THE WINFIELD**  
15 **SERVICE TERRITORY.**

16 A The Winfield Service Territory is immediately adjacent to Winfield's existing  
17 municipal boundaries. The northern-most boundary of the Winfield Service  
18 Territory is the existing municipal limits and it generally extends southward along  
19 Iowa Street which is its westerly boundary to the south side of US Highway 231;  
20 then extends in a southeasterly direction generally along US Highway 231 to the  
21 Porter County line; and then northward along the Porter County line as its eastern  
22 boundary to Winfield's municipal boundary. It is comprised of approximately  
23 6,375 acres.

1    **8.    Q    MR. BEAVER, CAN YOU EXPLAIN WINFIELD'S REASONING WHEN**  
2                    **DRAWING THE BOUNDARIES FOR THE WINFIELD SERVICE**  
3                    **TERRITORY?**

4            A    Yes, I can. Winfield drew the boundaries for the Winfield Service Territory based  
5                    on the planning and maps that were developed, studied, publicly discussed with the  
6                    broader Winfield community, and ultimately included in Winfield's Comprehensive  
7                    Master Plans dating back to 2006 ("Master Plan Area").

8    **9.    Q    DOES THE CURRENT COMPREHENSIVE MASTER PLAN**  
9                    **CONTEMPLATE THAT WINFIELD WOULD PROVIDE MUNICIPAL**  
10                  **SERVICES TO THE WINFIELD SERVICE TERRITORY?**

11          A    Yes, it does. The current Comprehensive Master Plan contemplates that Winfield  
12                  would provide municipal services, including sewer service, to the areas immediately  
13                  south of its municipal boundaries to a southern most boundary of 157<sup>th</sup> Street (i.e.  
14                  the Master Plan Area). This area would include almost all the Winfield Service  
15                  Territory, except for a small portion of the Winfield Service Territory that is located  
16                  near the intersection of 129<sup>th</sup> Street and State Road 231 in unincorporated Lake  
17                  County, Indiana (See Petitioners Exhibit 4, page 52).

1   **10.   Q   HAS WINFIELD HISTORICALLY PLANNED ON REGULATING THE**  
2                   **DEVELOPMENT AND PROVISION OF SEWER SERVICE TO THE**  
3                   **WINFIELD SERVICE TERRITORY?**

4           A   Yes, it has. Winfield has prepared Comprehensive Master Plans over the last  
5           couple of decades that identify areas in and around Winfield in which Winfield  
6           would ultimately be the logical provider to regulate not only the provision of sewer  
7           service, but also all development in the Winfield Service Territory. In Winfield's  
8           Comprehensive Master Plan adopted September 19, 2006, as amended on May 21,  
9           2007 ("2006 Master Plan), and in Winfield's Comprehensive Master Plan adopted  
10          in 2023 ("2023 Master Plan"), the Winfield Service Territory was contemplated  
11          and anticipated by Winfield to be regulated by Winfield. For the Commission's  
12          reference, I am attaching copies of the 2006 Master Plan and 2023 Master Plan as  
13          Petitioner's Exhibits 3 and 4, respectively. As noted on page 49 in the 2006 Master  
14          Plan and page 52 of the 2023 Master Plan, the Master Plan Area for development  
15          and provision of municipal services, including sewer service, extended from its  
16          Winfield's southernmost boundary southward to 157<sup>th</sup> Street. The Master Plan  
17          Area, which has been in place for almost twenty (20) years, includes almost all of  
18          the Winfield Service Territory. While developing the 2023 Master Plan, Winfield  
19          held extensive community outreach and engagement meetings and public hearings  
20          to ensure public input was an integral part of future planning for the broader  
21          Winfield community. Moreover, Winfield's 2023 Master Plan references and cites  
22          numerous existing studies which Winfield relied upon to develop the 2023 Master



1 Plan to ensure cohesive and coherent planning was achieved including, but not  
2 limited to, the following: 2006 Master Plan; 2016 Winfield Downtown Master Plan;  
3 2014-2018 Lake County Parks Master Plan; 2016 Winfield Sanitary Master Plan;  
4 2019 Thoroughfare Plan; and the 2021 Park Impact Fee, along with review of  
5 Winfield zoning, land use, and assessment of high growth trends in the area of  
6 which Winfield has been at the forefront of for over a decade.

7 **11. Q WHEN DEVELOPING ITS 2006 MASTER PLAN, DID WINFIELD ALSO**  
8 **SEEK AND OBTAIN PUBLIC COMMENT AND ATTEMPT TO**  
9 **COORDINATE ITS MASTER PLANNING WITH OTHER PLANNING**  
10 **DOCUMENTS?**

11 A Yes, it did. While I was not present when the 2006 Master Plan was adopted, it is  
12 my understanding that there was significant involvement with the Winfield  
13 Community and a number of Town officials and boards. I understand that the 2006  
14 Master Plan was initially planned and prepared by a Steering Committee (as defined  
15 in the 2006 Master Plan) that included 13 members from the Community. At that  
16 time, the Town obtained a certified planning consultant and enlisted the efforts of  
17 its zoning administrator, consulting engineer, and a transportation planner. After the  
18 Steering Committee prepared a draft of the 2006 Master Plan, the Master Plan was  
19 approved by the Winfield Plan Commission on August 23, 2006, and adopted by the  
20 Town Council on September 19, 2006, in Resolution No. 2006-10.

**12. Q CAN YOU GENERALLY DESCRIBE THE 2006 AND 2023 MASTER PLANS AND THE HISTORY OF WINFIELD'S EFFORTS TO SERVE AND DEVELOP THIS AREA?**

A Shortly after Winfield was incorporated, leadership began discussing the development of the area in or around its municipal limits and the provision of municipal services, including sewer service. These discussions ultimately resulted in the appointment of a Comprehensive Master Service Plan Steering Committee that began and assisted in the formation and approval of the 2006 Master Plan by the Winfield Plan Commission and Town Council. As noted at the beginning of the 2006 Master Plan, the purpose of the Plan was to:

ensure that the needs of the whole community are considered, not just benefits to individual. Community planning is based on a concept of the public interest.

...

Today's Winfield citizens are trustees of the future and have a responsibility to help prevent growth patterns that result in wasteful and inefficient use of our resources. When Communities plan, they establish and implement a public policy for the Community. They create a guideline for decisions on development. Plans help a community achieve a character of its own, one that residents of the Community recognize and support. (P. 2)

The 2006 Master Plan further provides:

Plans developed for Communities are called Comprehensive Plans. In Indiana, Comprehensive Planning is permitted by the 500 series of Title 36-7-4 of the Indiana Code. This law empowers cities, towns, and counties to adopt plans. Any plan adopted in Indiana must contain . . . [a] . . . policy for the development of public ways, public places, public lands, public structures, and **public utilities** (emphasis added) (Id. at 3).

1 After adoption of the 2006 Master Plan, Winfield has used the Plan as a guide for  
2 the vision, development, and delivery of services in the areas in and around  
3 Winfield, including the provision of public utilities service. Winfield again  
4 updated its vision for the Master Plan Area when adopting the 2023 Master Plan.  
5 For almost two decades, Winfield has been planning for the development and  
6 provision of municipal services to this area, which includes the Winfield Service  
7 Territory.

8  
9 **13. Q DO YOU BELIEVE THE WINFIELD SERVICE TERRITORY IS A**  
10 **LOGICAL EXTENSION OF THE TOWN'S EXISTING BOUNDARIES**  
11 **AND JURISDICTION?**

12 A Yes, I do. We have known for some time that the Winfield Service Territory would be an  
13 area that would likely develop as people continue to migrate from Chicago and other parts  
14 of northwest Indiana in search of a change of pace and relatively lower taxes. In addition,  
15 the Winfield Service Territory comprises primarily of unincorporated Winfield Township  
16 in which Winfield is wholly situated. Winfield would be the most logical party for  
17 extension of existing boundaries not only because of sanitary sewer, but also because  
18 Winfield has existing contracts in place to account for other essential services throughout  
19 the Winfield Service Territory. For example, Winfield has an existing agreement with a  
20 water utility, Indiana American Water, to provide water service to all future territory of  
21 Winfield, which we have anticipated as including the Winfield Service Territory, as  
22 evidenced by the various planning documents referenced herein. Similarly, Winfield  
23 currently contracts alongside Winfield Township and the West Porter Fire Protection

District (situated in Porter County but adjacent and contiguous with Winfield) for fire protection and EMS services to the broader Winfield community using one service provider, which, again, is consistent with the well-established intention for Winfield to provide not just sanitary sewer services, but essentially all municipal services to this area through thoughtful planning and development, and cooperative agreements with neighboring stakeholders. One of the major stakeholders in this area is LBL, who, as I mentioned above, is an intervenor in this case. LBL owns approximately 400 acres within the existing town limits that is part of a larger development that extends into the Winfield Service Territory.

**III.**

**ABILITY OF ANOTHER PROVIDER TO SERVE**  
**THE WINFIELD SERVICE TERRITORY**

**14. Q IS THE CITY OF CROWN POINT, INDIANA (“CROWN POINT”) TRYING TO SERVE A PORTION OF THE WINFIELD SERVICE TERRITORY?**

A Yes. It is my understanding that Crown Point has adopted its own regulatory ordinance that overlaps with some of the area being requested by Winfield in this Cause (“Disputed Area”). Specifically, Crown Point is seeking permission to serve the properties owned by LBL, except for those areas that are already in Winfield’s municipal limits. Initially, however, Crown Point indicated in one or more of its public council meetings that it sought to intrude further into the corporate boundaries of Winfield, essentially attempting to capture nearly half of the current incorporated boundaries of Winfield from the town, including several

1 existing developments which are already connected to the Winfield sanitary sewer  
2 system.

3 **15. Q IF CROWN POINT'S REQUEST WERE GRANTED FOR THIS DISPUTED**  
4 **AREA, WOULD THAT MEAN THAT THERE WOULD BE TWO**  
5 **DIFFERENT SERVICE PROVIDERS WITHIN THE SAME**  
6 **DEVELOPMENT?**

7 A Yes. As I stated above, approximately 400 acres of the proposed LBL development will  
8 be situated within the Town's current corporate boundaries. My understanding is that  
9 Indiana law grants the Town the absolute right to be the provider to this portion of the  
10 development. If Crown Point were given authority to provide service to the Disputed Area,  
11 Winfield would serve a portion of the development and Crown Point would serve the  
12 remainder.

13 **16. Q DO YOU BELIEVE THAT AUTHORIZING CROWN POINT TO SERVE A**  
14 **PORTION OF THE LBL DEVELOPMENT WOULD BE IN THE BEST**  
15 **INTEREST OF THE RATE PAYERS?**

16 A No, I do not. As Jennifer Wilson will more fully explain in her testimony, Crown Point  
17 has recently adopted a significant increase to its rates which will soon be more than double  
18 the rates of Winfield. Not only are Winfield's rates much less expensive, but it would be  
19 confusing to the ultimate consumers or customers to have multiple providers within the  
20 same development. While I am certainly no expert, I understand that the Commission has  
21 typically tried to avoid having multiple utility providers within the same development. If  
22 Crown Point's request were granted, customers of Crown Point would pay rates that are

1 more than double the rates of neighbors (some of whom would be across the street from  
2 one another) who are served by Winfield. It also seems duplicative to me to have two  
3 different sewer providers with infrastructure in the same development and in many cases  
4 abutting one another. When considering the cost of installing sewer infrastructure, it seems  
5 to be a waste of rate payer money to have duplicative services in the same development.  
6 This duplication of facilities strikes me as an unnecessary use of rate payer resources and  
7 is exactly what Winfield was trying to prevent by adopting the 2006 Master Plan and 2023  
8 Master Plan. (See, e.g., Petitioner's Exhibit 3, p. 2).

9 **17. Q WHAT OTHER NEGATIVE CONSEQUENCES WOULD ARISE IF**  
10 **CROWN POINT WERE ALLOWED TO SERVICE THE DISPUTED**  
11 **AREA?**

12 A Almost since its inception, Winfield has been planning for the development of those  
13 areas identified in its 2006 and 2023 Master Plans. It has created Steering  
14 Committees, hired certified planners, engineers, and other professionals, solicited  
15 public comment on how the area should develop, held public meetings and hearings,  
16 memorialized its vision in extensive master planning documents, and encouraged  
17 neighboring communities and its stakeholders to review the Master Plans to  
18 understand the Town's vision on how the area should develop. If Crown Point were  
19 authorized to serve the Disputed Area, it would effectively sever or divide the  
20 Winfield Planning Area negate Winfield's planning and efforts over the last twenty  
21 (20) years to solicit input from all stakeholders and provide essential services,  
22 including steady, responsible infrastructure development, at a much more  
23 competitive price than what Crown Point or any other provider is proposing. If

1 granted, Crown Point's request would, at a minimum, add another unnecessary layer  
2 of government and jeopardize Winfield's attempts to provide low cost sewer service  
3 throughout the area.

4 **18. Q DOES CROWN POINT CURRENTLY HAVE FACILITIES THAT CAN**  
5 **SERVE THE DISPUTED AREA?**

6 A No, it does not. I understand that Crown Point's current wastewater treatment  
7 facility is at or near its maximum capacity for the flows anticipated within its  
8 municipal limits and that Crown Point has a desire to build a new facility. This  
9 facility has not yet been designed, permitted, bid, financed, or constructed. My  
10 understanding is it may be several years before it is ever constructed, if the project  
11 ultimately does even come to fruition, whereas not only has Winfield consistently  
12 been publicly and methodically planning our infrastructure and development with  
13 a focus on cost consciousness for rate payers, it has done so, *prior to and in*  
14 *anticipation of*, future growth and within predictable timetables, as opposed to  
15 waiting until capacity is depleted and cost is prohibitive or objectionable to the  
16 community.

17 **19. Q IS WINFIELD ABLE TO PROVIDE SERVICE TO THE WINFIELD**  
18 **SERVICE TERRITORY, INCLUDING THE DISPUTED AREA?**

19 A Yes, as contemplated in a myriad of public meetings and planning documents, and as more  
20 fully explained by Jeremy Lin and Mike Duffy, Winfield has existing infrastructure in  
21 reasonably close proximity to the Winfield Service Territory. In fact, Winfield has been  
22 planning for almost a decade to extend sewer utility services to the edge of the Winfield

1 Service Territory. In its 2023 Master Plan, Winfield incorporated the 2016 Sanitary Sewer  
2 Master Plan that was prepared by Mr. Duffy. As detailed by Mr. Duffy in his prefiled  
3 testimony in this Cause, the 2016 Master Plan contemplates a regional lift station to be  
4 installed on 129<sup>th</sup> Street which is at the edge of the Winfield Service Territory and  
5 immediately east of the proposed LBL development. Consistent with the 2016 Master  
6 Plan, Winfield can extend its facilities westward and install a centralized, regional lift  
7 station that would provide service to the entire LBL development. Again, it seems wasteful  
8 and redundant to have a second provider extending services into this area when Winfield  
9 has been planning the necessary facilities for almost a decade and has demonstrated its  
10 ability to continue to meet benchmarks to that effect. In other words, Winfield believes that  
11 our track record of consistently supporting sustainable development through thoughtful  
12 master planning demonstrates that we adhere to the plans we set out to achieve, including  
13 the ultimate development and provision of services to the Winfield Service Territory. To  
14 the extent any community stakeholder or developer, such as LBL, need rather immediate  
15 service, Winfield is ready, willing, and able to extend service within a relatively short  
16 period of time.



IV.

**STATUS OF DEVELOPMENT AND MEETINGS WITH STAKEHOLDERS**

**20. Q PLEASE DESCRIBE THE NEED FOR SERVICE IN THE WINFIELD SERVICE TERRITORY?**

A We have received a number of requests from developers over the last several years for sewer service within the Winfield Service Territory. These developers and stakeholders include, among others, LBL. Many of these developers and stakeholders desire to propose and/or move forward with economic development initiatives in the not so distant future with a number of varying types of projects, a reality which Winfield has expected and prepared for.

**21. Q WHAT HAS BEEN WINFIELD'S MESSAGE TO THE DEVELOPERS AND STAKEHOLDERS?**

A Winfield has indicated that it would be willing and able to serve the community stakeholders and possible developments once it completes construction of the expansion to its existing wastewater treatment plant. Since 2020, Winfield has consistently, methodically, and publicly been working on a sustainable buildout of our sewer infrastructure, including multiple expansions. Notably, Winfield has planned and delivered with each expansion a doubling in capacity, initially from 0.4 mgd to 0.8 mgd, and in the most recent expansion expected to be completed in June 2025, capacity will go from 0.8 mgd to 1.6 mgd. We have been deliberate about projecting growth trends and preparing adequately in the future for

1 appropriate infrastructure, which has been messaged to all stakeholders in the  
2 broader Winfield community.

3 **22. Q HAS WINFIELD COMPLETED CONSTRUCTION OF ITS**  
4 **WASTEWATER TREATMENT PLANT?**

5 A No, but the expansion will be substantially complete by June 1, 2025.

6 **23. Q HAVE YOU AND OTHER WINFIELD REPRESENTATIVES SPOKEN**  
7 **WITH LBL AND OTHER STAKEHOLDERS ABOUT THE TIMING AND**  
8 **SERVICE TO THE WINFIELD SERVICE TERRITORY.**

9 A Yes, we have. Critical to my position as a representative on the Winfield Town  
10 Council and an advocate for rate payers on the Winfield Sewer Board, I have had  
11 numerous meetings since being elected, including meetings with representatives  
12 from LBL, the Crown Point Schools, neighboring municipalities, and other  
13 stakeholders in the community, to inform them of the availability of services,  
14 including sewer service, and hold discussions regarding any upcoming projects  
15 they may want to bring forward. Oftentimes, these discussions involve the  
16 development standards that Winfield would like for the property owners to observe,  
17 discussions about infrastructure demand and improvements, concerns of our  
18 residents, and various other development related issues. In addition, it is highly  
19 typical for myself, the Winfield Planning Commission (and its members), and  
20 Winfield staff to provide feedback and guidance to all parties through the stages of  
21 a project to ensure orderly development occurs, in accordance with Winfield's  
22 various Master Plans.

1   **24.   Q   HAS IT BEEN CLEAR FROM THESE MEETINGS THAT WINFIELD IS**  
2           **READY, WILLING, AND ABLE TO PROVIDE SERVICE?**

3           A   Yes. Specifically over the last eighteen months, we have consistently indicated to  
4           all community stakeholders, including LBL and Crown Point, that the plant  
5           expansion Winfield is actively engaged in will ensure we will not only be ready,  
6           willing, and able to provide service, but that we expect to be able to do so before  
7           any other potential provider and likely at rates substantially lower to rate payers  
8           than other providers. Similarly, Winfield has also indicated to the Town of Hebron,  
9           another intervenor in this case, that Winfield may be in a position to potentially  
10          provide sanitary sewer service to them in the event they had a desire for Winfield  
11          to do so. In addition, Winfield has reinforced its position of service to the Winfield  
12          Service Territory by providing feedback to LBL, not only with respect to sanitary  
13          sewer service, but also regarding how to implement the 2023 Master Plan and  
14          vision of the broader Winfield community into LBL's proposed developments, both  
15          in Winfield, and in Winfield Township.

16   **25.   Q   HOW DOES WINFIELD PROPOSE TO PROVIDE SERVICE TO THE**  
17           **WINFIELD SERVICE TERRITORY?**

18          A   As explained by one of Winfield's consulting engineers, Michael Duffy of DLZ  
19          Engineers, Winfield can provide service to its entire Winfield Service Territory by  
20          installing a regional lift station at the southernmost end of its current municipal  
21          boundary. The Winfield Service Territory would then by gravity flow to the  
22          regional lift station that would, in turn, pump the sewage to Winfield's existing

1 treatment plant. This is a long-term project that will allow Winfield to serve the  
2 broader Winfield community within the Winfield Service Territory, and use the  
3 footprint of its existing wastewater treatment plant. Winfield already has  
4 preapproval to expand its plant up to 4 mgd which should be more than sufficient  
5 to meet both the immediate and long-term needs associated with expected economic  
6 development in the Winfield Service Territory.

7 **26. Q IS WINFIELD ABLE TO PROMPTLY PROVIDE SERVICE TO THOSE**  
8 **AREAS ADJACENT TO THE TOWN?**

9 A Yes, it can. As Mr. Duffy explains in his testimony, Winfield has an existing lift  
10 station that is located near its existing municipal boundaries and within 3,000 feet  
11 of LBL's proposed development. This lift station pumps to Winfield's wastewater  
12 treatment plant. In the event a customer, such as LBL, needs immediate service  
13 from Winfield, a transmission main can be extended from the existing (Gibson  
14 Street) lift station to LBL or other stakeholders to provide service within a very  
15 short period of time.

16 **27. Q DOES WINFIELD NEED TO BUILD A NEW WASTEWATER**  
17 **TREATMENT PLANT IN ORDER TO PROVIDE SERVICE TO LBL OR**  
18 **OTHER STAKEHOLDERS IN THE AREA?**

19 A No, not at this time. As explained by Mr. Lin, Winfield will substantially complete  
20 an expansion to the wastewater treatment plant by June 2025 which will more than  
21 satisfy LBL's need for capacity.

**28. Q HAVE YOU INFORMED LBL AND OTHERS ABOUT WINFIELD'S  
READINESS, WILLINGNESS, THE ABILITY TO SERVE?**

A Yes, I have.

## V. PRESENT AND FUTURE ECONOMIC DEVELOPMENT IN THE WINFIELD SERVICE TERRITORY

**29. Q DO YOU HAVE AN OPINION ON WHETHER THE PROPOSED WINFIELD SERVICE TERRITORY WOULD BE BENEFICIAL TO ECONOMIC DEVELOPMENT IN THE TERRITORY?**

A Yes, I do. As I discussed above, Winfield is able to provide service to the Winfield Service Territory in a relatively short period of time and at appears to be a substantially lower cost to rate payers than other possible providers. With respect to service to the most immediate development, the development proposed by LBL, Winfield is able to extend a sewer transmission main within twelve (12) months without building a new wastewater treatment plant. Before this case is finally decided, Winfield will have completed a new wastewater treatment plant expansion that will have sufficient capacity to serve the near to medium term needs of LBL and other customers in the Disputed Area without the additional expenditure of new funds to build a new wastewater treatment plant. The fact that Winfield's existing facilities are adjacent to the Winfield Service Territory and Winfield is able to extend service at a relatively low cost in a short period of time should enable Winfield to meet the needs of our community, potential developers, and other stakeholders who are looking to conduct economic activity in the Winfield Service

1 Territory. Ultimately, this preparation and infrastructure will be a positive factor  
2 for encouraging economic development to all parties in the Winfield Service  
3 Territory.

4 **30. Q DO YOU THINK WINFIELD'S RATES AND CHARGES WOULD BE**  
5 **CONDUCTIVE TO ECONOMIC DEVELOPMENT IN THE AREA?**

6 A Absolutely. Winfield currently charges a fee of approximately \$59.00 per month  
7 for a standard residential housing unit and a connection fee of \$3,190. Winfield  
8 does not and would not impose an out-of-town surcharge on customers in this area.  
9 Crown Point, on the other hand, is proposing a much higher sewer rate and a 25%  
10 out-of-town surcharge which makes its user rates more than double those of  
11 Winfield. Because of Winfield's much lower user rate, I believe Winfield would  
12 be much better for economic development in that it could offer service within a  
13 shorter time at a much lower cost. In addition to higher user rates, Crown Point's  
14 connection fees are also much more than Winfield's connection fees which would  
15 be a further deterrent to new connections and economic development in the  
16 Disputed Area. For these reasons, I believe that approving Winfield's request for  
17 the Winfield Service Territory would be much more conducive to economic  
18 development in the broader Winfield community.

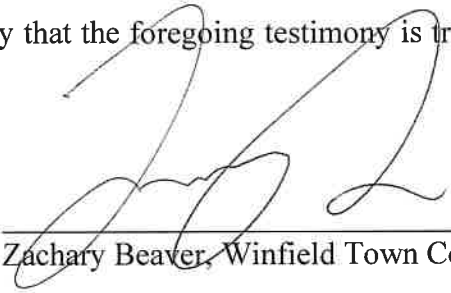
19  
20 **VI.**  
21 **CONCLUSION**

22 **31. Q DOES THIS CONCLUDE YOUR TESTIMONY?**

23 A Yes, it does.

**VERIFICATION**

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



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Zachary Beaver, Winfield Town Council President

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was served upon the following by electronic mail this 21st day of April, 2025:

**Indiana Office of Utility Consumer Counselor**  
[infomgt@oucc.in.gov](mailto:infomgt@oucc.in.gov)

A handwritten signature in black ink, appearing to read "J. Christopher Janak", written over a horizontal line.

J. Christopher Janak