FILED
April 18, 2024
INDIANA UTILITY
REGULATORY COMMISSION

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)
TERRITORY FOR THE TOWN'S MUNICIPAL) CAUSE NO. 45992
SEWER SYSTEM PURSUANT TO IND. CODE 8-)
1.5-6 ET. SEQ.	

TOWN OF HEBRON'S PETITION TO INTERVENE

The TOWN of Hebron ("HEBRON"), by and through their counsel, Brett R. Galvan, Galvan, Law, LLC, pursuant to 170 I.A.C. 11.1-11, hereby seeks intervention in this Cause. In support thereof, Hebron states as follows:

- 1. Hebron is located east of the area claimed by the to the town of Town of Winfield ("Winfield") in this cause;
- 2. Hebron operates a municipal sewer and water utility;
- 3. Hebron has a written agreement with a major real estate developer to provide sewer and water service to a new development located on the eastern side of the area claimed by Winfield in this Cause. A new lift station to serve that new major residential development has already been installed to tranmit sewage to Hebron for treatment.
- 4. There is a 15" sewer pipe already installed to the corporate limits of the the town that will gravity feed the above new lift station that has a 2,000 home capacity designed to service the area claimed by Winfield.
- 5. Hebron is affected by Winfield's request but Hebron was not listed as an affected entity in Winfield's Petiton in this Cause.

- 6. Hebron was not provided nor did it receive any written notice, informal or otherwise notice from Winfield or its attorneys of the passage of Winfield's Regulatory Ordinance at issue in this Cause or the filing of this IURC Cause seeking approval of that Ordinance.
- 7. Hebron and its counsel did not learn of this Cause until, April 12, 2024.
- 8. The law firm of of the local attorney representing Winfeld in this cause also represents the same major developer with whom Hebron has agreed to provide sewer and water service in the area claimed by Winfield and another law firm from Indianapolis, who represents Winfield in this matter also represent Hebron in certain legal matters. Yet no one gave Hebron noitice of the filing of this Cause.
- 9. Hebron is better suited, located and is prepared to provide sewer service to the areas of development on the eastern side of area claimed by Winfield.
- 10. Winfield's failure to give notice to Hebron of the passage of Winfield's Regulatory Ordinance and of filing this Cause severely prejudices Hebron, and Hebron's plans to provide water and sewer service to the affected areas.
- 11. Hebron has s relevant information regarding Winfield's proposals and Hebron's commitments to service that will be helpful to the Commission.
- 12. Hebron is affected by Winfield's proposals in this Cause and will not be adequately represented by any other Party in this Cause.
- 13. Hebron's intervention will not unnecessarily broaden the issues in this Cause.
- 14. Hebron's participation in this Cause will bring import information to the Commission on the relevant statutorily required issues in this Regulatory Ordinance case.

15. This Petition is timely filed more than 5 days before the scheduled evidentiary hearing in this Cause.

WHEREFORE, the TOWN of Hebron respectfully requests that it be granted intervention as a Party in this proceeding and for all other relief appropriate in the premises.

Respectfully submitted,

/s/ Brett R. Galvan
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Petition to Intervene was served upon the following by electronic delivery this 18th day of April 2024, to:

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