

STATE of INDIANA

INDIANA UTILITY REGULATORY COMMISSION
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INDIANAPOLIS, INDIANA 46204-3419



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**IN THE MATTER OF THE PETITION OF THE)
TOWN OF WINFIELD, LAKE COUNTY,)
INDIANA, FOR APPROVAL OF A REGULATORY)
ORDINANCE ESTABLISHING A SERVICE) CAUSE NO. 45992
TERRITORY FOR THE TOWN'S MUNICIPAL)
SEWER SYSTEM PURSUANT TO IND. CODE § 8-)
1.5-6 ET SEQ)**

You are hereby notified that on this date the Indiana Utility Regulatory Commission (“Commission”) has caused the following entry to be made:

On February 28, 2025, the Town of Winfield (“Winfield”) filed its Motion to Establish Procedural Schedule (“Winfield’s Motion”). On March 3, 2025, the City of Crown Point, Indiana (“Crown Point”) filed its Motion to Establish Procedural Schedule and response to Town of Winfield, Indiana’s Motion to Establish Procedural Schedule (“Crown Point’s Motion”). Crown Point stated Winfield’s Motion did not consider that the Commission consolidated the critical issue of which of the two petitioning municipal utilities will be allowed to serve the contested overlapping area and the burden of proof on each of them. Crown Point also argued that Winfield’s Motion deprives Crown Point of its right to file direct and rebuttal testimony in this cause.

On March 4, 2025, the parties met for an Attorney’s Conference to discuss procedural schedules. At the Attorney Conference, counsel for Winfield, Crown Point, the Indiana Office of Utility Consumer Counselor (“OUCC”), and other interested parties appeared.

On March 6, 2025, Winfield filed its Notice Following March 4, 2025 Attorney’s Conference (“Winfield’s Notice”), regarding its proposed updated testimony. Winfield proposed updating the testimony of Michael P. Duffy, Jr., P.E, particularly, its testimony on how it would provide service to the proposed development of Intervenor, LBL Development LLC. On March 7, 2025, Crown Point filed its Response to Petitioner’s Notice Following Attorney’s Conference (“Crown Point’s Response”),

The Presiding Officers, having reviewed the proposed schedules, now establish the following procedural schedule in this matter:

A. Issues Related to the Overlapping Territory between Winfield and Crown Point.

1. **Winfield's and Crown Point's Case-in-Chief Prefiling Date.** Winfield shall prefile any updated testimony and exhibits on or before April 18, 2025. Crown Point shall prefile its prepared testimony and exhibits on or before April 18, 2025. Copies of same shall be served upon all parties of record.

2. **OUCC's and Intervenors' Prefiling Date.** The OUCC and all Intervenors, except Crown Point, shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before June 2, 2025. Copies of same shall be served upon all parties of record.

3. **Winfield's and Crown Point's Response Prefiling Date.** Winfield and Crown Point shall prefile responsive testimony and exhibits to each other's case-in-chief filing on or before June 2, 2025. Copies of same shall be served upon all parties of record.

4. **Rebuttal and Cross-Answering Prefiling Date.** Winfield and Crown Point shall prefile their prepared rebuttal testimony on or before July 2, 2025. The OUCC and all other Intervenors shall prefile their respective cross-answering testimony and exhibits, if any, on or before July 2, 2025. Copies of same shall be served upon all parties of record.

B. All Other Issues Related to Winfield's Regulatory Ordinance.

1. **Winfield's Case-in-Chief Prefiling Date.** Winfield shall prefile any updated testimony and exhibits on or before April 18, 2025. Copies of same shall be served upon all parties of record.

2. **OUCC's and Intervenors' Prefiling Date.** The OUCC and all Intervenors shall prefile with the Commission the prepared testimony and exhibits constituting their respective cases-in-chief on or before June 2, 2025. Copies of same shall be served upon all parties of record.

3. **Winfield's Rebuttal Prefiling Date.** Winfield shall prefile its rebuttal testimony on or before July 2, 2025. Copies of same shall be served upon all parties of record.

C. Remaining Procedural Requirements.

1. **Mediation.** The Commission's procedural rules at 170 IAC 1-1.1-16.5 provide for the parties' voluntary participation in mediation to resolve some or all issues between them. To the extent the parties have not yet done so, the parties are encouraged to seek mediation with an independent mediator concerning the issues in this Cause.

2. **Evidentiary Hearing.** An evidentiary hearing is scheduled to commence at 10:30 a.m. on July 23, 2025 in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. If the parties reach settlement, the agreement and supporting testimony and exhibits shall be submitted to the Commission ten business days prior to the evidentiary hearing.

3. **Post-Hearing Filings.** All parties shall file their proposed order and any brief in support thereof on or before August 20, 2025. Any party may file a reply to the post-hearing filings on or before September 19, 2025.

4. **Hearing Exhibits.** Paper copies of exhibits to be offered at the evidentiary hearing must be single-sided and fastened together with staples, binder clips, or other non-permanent bindings that have no more than three holes along the longest edge. Parties shall process exhibits (1) consisting of excel spreadsheets, (2) are oversized, or (3) are voluminous in nature, through an optical character recognition program and offer the exhibits on a compact disc. Parties shall offer confidential exhibits on green paper in an envelope marked “confidential” or, if offered on a compact disc, the compact disc shall be labeled “confidential.”

5. **Sworn Testimony.** Any witness testimony to be offered into the record of this proceeding shall be made under oath or affirmation. In accordance with 170 IAC 1-1.1-18(i), if a party offers prefiled testimony of a witness into evidence at the evidentiary hearing, and the witness sponsoring the prefiled testimony is not required to, and does not, attend the Evidentiary Hearing, the prefiled testimony shall be accompanied by the witness’s sworn affidavit or written verification at the time the evidence is offered into the record.

6. **Discovery.** Discovery is available for all parties and shall be conducted on an informal basis. Any response or objection to a discovery request shall be made within ten calendar days of the receipt of such request.

7. **Prefiling of Workpapers.** When prefiling technical evidence with the Commission, each party shall file copies of the workpapers used to produce that evidence within two business days after the prefiling of the technical evidence. Copies of same shall also be provided to any other party requesting such in writing. When submitting workpapers to the Commission, two copies of each document shall be filed with the Secretary of the Commission.

8. **Number of Copies/Corrections.** Filings with the Commission shall comply with General Administrative Order 2016-2. Any corrections to prefiled testimony shall be made in writing as soon as possible after discovery of the need to make such corrections.

9. **Objections to Prefiled Testimony and Exhibits.** Any objections to the admissibility of prefiled testimony or exhibits shall be filed with the Commission and served on all parties of record as soon as an objection can be reasonably determined, but no less than ten days prior to the date scheduled for commencement of the hearing at which the testimony or exhibit will be offered into the record.

10. **Intervenors.** Any party permitted to become an Intervenor in this Cause shall be bound by the record as it stands at the time its Petition to Intervene is granted, pursuant to 170 IAC 1-1.1-11.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'David E. Ziegner', written in a cursive style.

David E. Ziegner, Commissioner

A handwritten signature in black ink, appearing to read 'Kehinde Akinro', written in a cursive style.

Kehinde Akinro, Administrative Law Judge

Date: March 19, 2025