

STATE of INDIANA

INDIANA UTILITY REGULATORY COMMISSION
101 WEST WASHINGTON STREET, SUITE 1500 EAST
INDIANAPOLIS, INDIANA 46204-3419



www.in.gov/iurc
Office: (317) 232-2701
Facsimile: (317) 232-6758

IN THE MATTER OF THE PETITION OF THE TOWN)
OF WINFIELD, LAKE COUNTY, INDIANA, FOR)
APPROVAL OF A REGULATORY ORDINANCE) CAUSE NO. 45992
ESTABLISHING A SERVICE 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 January 3, 2024, Town of Winfield (“Petitioner”) filed its *Agreed Motion for Procedural Schedule* that set forth a procedural schedule that Petitioner asserted all parties had agreed upon.

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

1. **Petitioner’s Prefiling Date.** Petitioner has already prefiled with the Commission the prepared testimony and exhibits constituting its case-in-chief. Copies of same were 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 April 2, 2024. Copies of same shall be served upon all parties of record.

3. **Petitioner’s Rebuttal Prefiling Date.** Petitioner shall prefile with the Commission its prepared rebuttal testimony on or before April 30, 2024. Copies of same shall be served upon all parties of record.

4. **Evidentiary Hearing on the Parties’ Cases-In-Chief.** The cases-in-chief of Petitioner, the OUCC, and any intervenors shall be presented in an evidentiary hearing to commence at 10:00 a.m. on May 21, 2024 in Room 224 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. At such time, the direct evidence of the respective parties shall be presented and their respective witnesses examined. Thereafter, Petitioner shall present its prefiled rebuttal evidence, as well as any additional evidence rebutting evidence adduced on cross-examination of the OUCC’s or intervenors’ witnesses. 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.

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

6. **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(h), if the prefiled testimony of a witness is to be offered 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.

7. **Discovery.** Discovery is available for all parties and shall be conducted on an informal basis. For discovery requests served prior to April 29, 2024, any response or objection to a discovery request shall be made within ten calendar days of the receipt of such request. For discovery requests served on or after April 29, 2024, any response or objection to a discovery request shall be made within five business days of the receipt of such request. Any discovery served after 4:00 p.m. on a Friday or the day before a state holiday will be deemed to have been served on the following business day. The parties will utilize electronic discovery.

8. **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.

9. **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.

10. **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.

11. **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.



David E. Ziegner, Commissioner



Kehinde Akinro, Administrative Law Judge

Date: January 10, 2024