

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

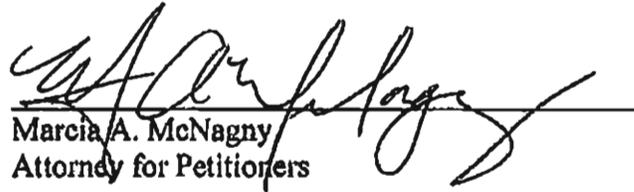
PETITION FOR APPROVAL OF RATE )  
AND CHARGE DIFFERENCE BETWEEN )  
PROPERTY WITHIN AND PROPERTY ) CAUSE NO.  
OUTSIDE THE CORPORATE BOUNDARIES )  
OF COLUMBIA CITY WASTEWATER UTILITY )

Pursuant to Indiana Code § 8-1.5-3-8.3(c), Petitioner, Columbia City Water Pollution Control, by counsel, respectfully petitions the Indiana Utility Regulatory Commission ("Commission") for approval of the rate and charge difference between property within and property outside the corporate boundaries of Columbia City Water Pollution Control. In support of its Petition, Petitioner states:

1. The ordinance setting rates and charges for property within and property outside the municipality's corporate boundaries took effect on January 1, 2010.
2. Attached as "Exhibit A" is a copy of the Ordinance.
3. The works that is subject of the Ordinance is a:
  - a. Water utility works \_\_\_\_\_
  - b. Wastewater utility works  X
  - c. Both water and wastewater utility works \_\_\_\_\_
4. The percentage difference between the rates and charges imposed on users of the works for service to property located outside the corporate boundaries of the municipality and to property located within the corporate boundaries is See Attached Appendix B.
5. If the percentage difference in #4 above varies based upon the amount of consumption, please provide a chart illustrating the various consumption levels in 1,000 gallon increments with the corresponding percent surcharge and attach to this Petition.
6. Petitioner considers Ind. Code § 8-1.5-3-8.3 (c), among other statutes, to be applicable to the relief requested by this Petition.
7. Marcia A. McNagny is counsel of record for Petitioners in this matter and is duly authorized to accept service of papers in this cause on behalf of Petitioners.

**WHEREFORE** Columbia City Water Pollution Control requests that the Commission issue an Order approving the percentage rate and charge difference between property within and property outside the corporate boundaries of Columbia City Water Pollution Control and for other just and reasonable relief.

Respectfully submitted,

  
\_\_\_\_\_  
Marcia A. McNagny  
Attorney for Petitioners

Verification

I, Marcia A. McNagny, affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Signed   
\_\_\_\_\_  
Date 8.16.2012

Attorney Contact Information  
Marcia A. McNagny  
Myers Hockemeyer & McNagny, LLP  
116 North Chauncey Street  
P.O. Box 89  
Columbia City, IN 46725  
(260) 248-2224

**ORDINANCE NO. 2009-25****AN ORDINANCE AMENDING THE SCHEDULE OF RATES AND CHARGES TO BE COLLECTED BY THE CITY OF COLUMBIA CITY, INDIANA, FROM THE CUSTOMERS SERVED BY THE MUNICIPAL SEWAGE WORKS OF SAID CITY, AND OTHER MATTERS CONNECTED THEREWITH.**

**WHEREAS**, the City of Columbia City, Indiana, owns and operates a municipal sewage works for the purpose of collection, treatment, and disposal of sanitary sewage, water, and other liquids in said City and outside of said City; and

**WHEREAS**, in anticipation of sewage works improvements and based upon good business practice, the City engaged H.J. Umbaugh & Associates ("Umbaugh") to review the financial situation of the municipal sewage works; and

**WHEREAS**, Umbaugh has provided the Common Council of the City of Columbia City with financial information regarding the income and expenses of the sewage works and estimates for future income and expenses; and

**WHEREAS**, Indiana Code 36-9-23-25 requires the Common Council of the City of Columbia City to establish just and equitable fees and charges for the services rendered by the sewage works which maintain the sewage works in sound physical and financial condition; and

**WHEREAS**, an increase in the fees and charges is necessary, just, and equitable in order to maintain the City of Columbia City's sewage works in sound physical and financial condition to render adequate and efficient service to customers of the sewage works.

**THEREFORE, BE IT ORDAINED** by the Common Council of the City of Columbia City, Indiana, as follows:

**Section 1.** Section 51.21(B) of the code of the Ordinances of the City of Columbia City regarding the basis of charges for sewage service shall be amended as follows:

**Rates Effective For the First Full Billing Cycle After January 1, 2010:**

- (A) The water usage (flow) shall be billed at a rate of 7.85 per 1,000 gallons of water used.
- (B) In addition, each user shall pay a monthly flat charge based on the water meter size as follows:

<u>Meter Size (Inches)</u>	<u>Monthly Flat Rate</u>	
	<u>City User</u>	<u>Rural User</u>
5/8" - 3/4"	\$ 18.60	\$ 29.35
1"	55.55	88.00
1 1/4"	74.20	115.85
1 1/2"	92.70	145.90
2"	148.30	233.90
3"	314.90	495.70
4"	500.20	787.55
6"	926.15	1,459.20

**Special Industrial Rate:**

<u>Gallons Used</u>	<u>Monthly Rate Per 1,000 Gallons</u>
First 1,000,000 gallons, per month	\$ 7.85
Over 1,000,000 gallons, per month	3.22

Section 2. Subsections (3) and (4) of said Section 51.21(B) shall remain unchanged.

Section 3. The flat monthly rates in Section 51.22(B)(1) of the code of the Ordinances of the City of Columbia City regarding the rates for discharge of water obtained from other than city water supply shall be amended as follows:

**Rates Effective For the First Full Billing Cycle After January 1, 2010:**

Monthly Flat Rate  
City and Rural Users

\$ 55.55

Section 4. The table of additional charges in Section 51.23(B)(3) of the code of the Ordinances of the City of Columbia City regarding excessive strength surcharges shall be amended as follows:

**Rates Effective For the First Full Billing Cycle After January 1, 2010:**

<u>Excessive Strength Waste</u>	<u>Additional Charge Per Pound</u>
Suspended Solids	\$ 0.35
BOD	0.35

Section 5. The table of additional charges in Section 51.25(C) of the code of the Ordinances of the City of Columbia City regarding rates for establishments served by the same water meter shall be amended as follows:

**Rates Effective For the First Full Billing Cycle After January 1, 2010:**

**Additional Charge**  
**Per Month**

\$ 7.85

Section 6. Section 51.32 of the Code of Ordinances of the City of Columbia City shall be removed.

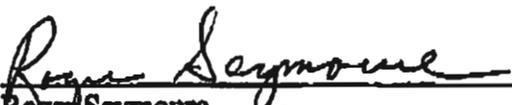
Section 7. All ordinances or parts of ordinances in conflict are hereby repealed.

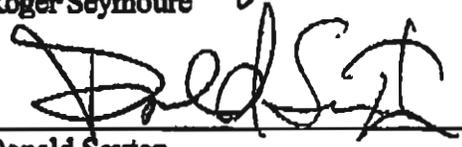
Section 8. This Ordinance shall be in full force and effect from and after its passage.

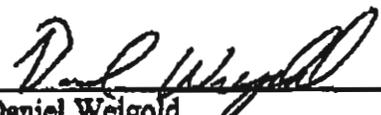
**PASSED AND ADOPTED** by the Common Council of the City of Columbia City, Indiana, this 9 day of December 2009.

  
\_\_\_\_\_  
Walter Crowder

  
\_\_\_\_\_  
Nicole Penrod

  
\_\_\_\_\_  
Roger Seymoure

  
\_\_\_\_\_  
Donald Sexton

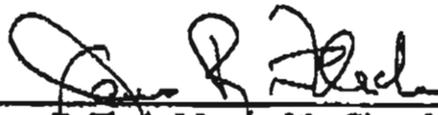
  
\_\_\_\_\_  
Daniel Weigold

**MEMBERS OF THE COMMON COUNCIL  
OF THE CITY OF COLUMBIA CITY,  
INDIANA**

ATTEST:

  
\_\_\_\_\_  
Rosie Coyle, Clerk-Treasurer

Signed and approved by me upon this 9  
day of December, 2009.

  
\_\_\_\_\_  
James R. Fleck, Mayor of the City of  
Columbia City, Indiana

Appendix B

<b>Columbia City</b>				
<b>Sewer (based on 5/8" meter)</b>				
<b>Consumption (gal)</b>	<b><u>Inside</u></b>	<b><u>Outside</u></b>	<b><u>Variance</u></b>	<b><u>% of variance</u></b>
1,000	26.45	37.20	10.75	40.64%
2,000	34.30	45.05	10.75	31.34%
3,000	42.15	52.90	10.75	25.50%
4,000	50.00	60.75	10.75	21.50%
5,000	57.85	68.60	10.75	18.58%
6,000	65.70	76.45	10.75	16.36%
7,000	73.55	84.30	10.75	14.62%
8,000	81.40	92.15	10.75	13.21%
9,000	89.25	100.00	10.75	12.04%
10,000	97.10	107.85	10.75	11.07%