

September 26, 2012

IURC
Water and Wastewater Division
Attention: Mr. Curt Gassert, Director
PNC Center
101 West Washington Street
Suite 1500 E
Indianapolis, Indiana 46204

RECEIVED
SEP 28 2012
INDIANA UTILITY
REGULATORY COMMISSION

Re: Town of Georgetown, Indiana
Petition for Approval of Rate and Charge Difference

Dear Mr. Gassert,

Please find enclosed an original and two (2) copies of the Town of Georgetown, Indiana's Petition for Approval of Rate and Charge Difference. Also, please find enclosed a copy of this cover letter. If you would, please return to me a file-stamped copy of the Petition and cover letter for my file. I have enclosed a stamped return envelope for you.

I appreciate your assistance in this matter.

With regards,



P. Michael Summers

Encs.

RECEIVED

SEP 28 2012

INDIANA UTILITY
REGULATORY COMMISSION

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

PETITION OF THE TOWN OF GEORGETOWN)
 FOR APPROVAL OF RATE AND CHARGE)
 DIFFERENCE BETWEEN PROPERTY)
 WITHIN AND PROPERTY OUTSIDE THE)
 CORPORATE BOUNDARIES OF GEORGETOWN) CAUSE NO. _____

Pursuant to Indiana Code §8-1.5-3-8.3(c), Petitioner, the Town of Georgetown, Indiana (“Georgetown”), by counsel, respectfully petitions the Director of the Water and Wastewater Division of the Indiana Utility Regulatory Commission (“Commission”) to approve the rate and charge difference between property within and property outside the corporate boundaries of the Town of Georgetown. 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 July 11, 2011 for the Municipal Sewage Works.

2. Attached as “Exhibit A” is a copy of the ordinance.

3. The works that are the subject of the ordinances are (select one):
 - 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 approximately 5.57% for usage of 4,000 gallons per month and 15.26% for a minimum monthly bill with no usage applied to the total sewage bill for a 5/8 – 3/4” meter. The percentage difference to the total

sewage bill varies based upon the amount of usage when usage is over 100 gallons per month and by meter size.

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 surcharge and attach to this Petition. See "Exhibit B."
6. P. Michael Summers, Attorney at Law, 421 West 1st Street, New Albany, Indiana, 47150-3601, is counsel of record for Petitioner in this matter and is duly authorized to accept service of papers in this cause on behalf of the Petitioner.

WHEREFORE, The Town of Georgetown, Indiana, requests that the Commission issue an Order approving the percentage rate and charge difference between property within and property outside the corporate boundaries of the Town of Georgetown and for other just and reasonable relief.


P. Michael Summers

Verification

I, P. Michael Summers Atty of the Town of Georgetown, affirm under penalties for perjury that the foregoing representations are true to the best of my knowledge, information, and belief.

Signed: 

Date: 9/26/12

P. Michael Summers, LLC
Summers Law Office
421 West 1st Street
New Albany, Indiana 47150-3601
Phone: 812-941-8200
Fax: 812-949-4003
Email: pmichaelsummers@gmail.com

GEORGETOWN (INDIANA) MUNICIPAL SEWAGE WORKS

EXHIBIT A

Town of Georgetown, Indiana

Ordinance G-11-06

AN ORDINANCE ESTABLISHING EQUITABLE FEES FOR SERVICES RENDERED BY SEWER WORKS AND DECREASING FEES

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN, INDIANA (“GEORGETOWN”), THAT:

WHEREAS, the Georgetown Town Council (“Town Council”) shall, pursuant to IND. CODE 36-9-23-25, establish by ordinance just and equitable fees for the services rendered related to sewer works and shall provide the dates on which such fees are due.

WHEREAS, just and equitable fees under such statute are required to pay all the expenses set forth in IC 36-9-23-25(b).

WHEREAS, the fees required (“Schedule of Fees”) for expenses under IC 36-9-23-25(b), which do not include fees for sewer availability to vacant or unimproved property, are set forth below, and this Ordinance amends and/or modifies Ordinances #G-97-07 and # G-06-24 to the extent expressly provided herein

WHEREAS, through prudent fiscal management, assistance from Floyd County, the City of New Albany, the Indiana State Revolving Loan Fund, and the federal government, Georgetown has sufficient funds available to provide for the anticipated operations, management, and construction, including improvements needed to reverse sewage flows in lines now flowing to New Albany.

WHEREAS, this Ordinance Establishing Equitable Fees for Services Rendered by Sewer Works (“Ordinance”) was introduced before the Town Council at its meeting held May 9, 2011.

WHEREAS, a public hearing was held on June 20, 2011.

WHEREAS, notice of such hearing was published in the New Albany Tribune pursuant to IND. CODE 5-3-1 on May 27, 2011, being more than ten (10) days prior to such hearing.

WHEREAS, notice of such hearing was mailed to users of sewage works located outside Georgetown’s corporate boundaries.

NOW, THEREFORE, BE IT ORDAINED THAT:

Following the hearing on the adoption of a Schedule of Fees and this Ordinance, the following Schedule of Fees is hereby adopted:

A. Monthly Base Charge	Present Rates	Proposed Rates
Meter Size:		
5/8 - 3/4 inch	\$27.65	\$21.30
1 inch	60.21	50.70
1 1/2 inch	139.46	115.38
2 inch	225.76	197.70
Flow Charge Per 1,000 Gallons	\$9.32	\$9.25
B. Hilltop Estates Mobile Home Park:	Present Rates	Proposed Rates
Meter Size:		
1 inch	\$349.64	\$303.85
Flow Charge Per 1,000 Gallons	\$9.32	\$9.25
C. Lakeland Lagoon Association:	Present Rates	Proposed Rates
Meter Size:		
1 inch	\$724.39	\$468.75
Flow Charge Per 1,000 Gallons	\$9.32	\$8.56
D. Monthly Outside Town Surcharge: (4)		
Meter Size	Equivalency Factor	Proposed Rate
5/8 -3/4 inch	1.0	\$3.25
1 inch	2.5	8.13
1 1/4 inch	4.0	13.00
1 1/2 inch	5.8	18.85
2 inch	10.0	32.50
3 inch	23.0	74.75
4 inch	40.0	130.00
6 inch	91.0	295.75

The Schedule of Fees shall be kept on file and made available for public inspection as required by IC 36-9-23-26(b).

The Schedule of Fees shall be applied for usage occurring with the next billing cycle.

That a list of the persons in attendance at the hearing concerning the Schedule of Fees and Ordinance shall be maintained and kept with the minutes and records associated with adoption if this Ordinance.

Those records concerning the notice of hearing and mailing of notice to customers shall be maintained and kept with the minutes and records associated with the adoption of this Ordinance.

Pursuant to IND. CODE 36-9-23-26.1, owners of property connected or to be connected to and served by Georgetown's sewage works may file a written petition objecting to the above Schedule of Fees herein adopted provided:

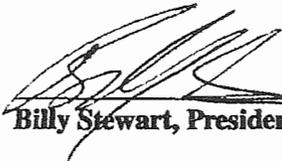
- (1) the petition contains the names and addresses of the petitioners;
- (2) the petitioners have attended the public hearing noted above;
- (3) the written petition is filed with the municipal legislative body within five (5) days after the ordinance establishing the rates and charges is adopted; and
- (4) the written petition states specifically the ground or grounds of objection.

If any part of this Ordinance should be found unlawful by a court of law, the parts of this Ordinance shall remain in full force and effect.

So ADOPTED by the Town Council this 11th day of July, 2011.

Voting Aye:

Voting Nay:



Billy Stewart, President

Billy Stewart, President



Everett Pullen, Vice President

Everett Pullen, Vice President



Mike Mills, Member

Mike Mills, Member



Karla Perkins, Member

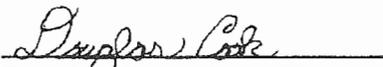
Karla Perkins, Member



Aaron Striegel, Member

Aaron Striegel, Member

Attested by:



Douglas Cook, Clerk/Treasurer

GEORGETOWN (INDIANA) MUNICIPAL SEWAGE WORKS

EXHIBIT B

GEORGETOWN (INDIANA) MUNICIPAL SEWAGE WORKS

**COMPARISON OF INSIDE AND OUTSIDE TOWN
SEWAGE RATES AND CHARGES**

(Assumes a 5/8 - 3/4" meter)

<u>Consumption</u> (Gallons)	<u>Inside Town</u> <u>User</u>	<u>Outside Town</u> <u>User</u>	<u>% Surcharge</u>
-	\$21.30	\$24.55	15.26%
1,000	30.55	33.80	10.64%
2,000	39.80	43.05	8.17%
3,000	49.05	52.30	6.63%
4,000	58.30	61.55	5.57%
5,000	67.55	70.80	4.81%
6,000	76.80	80.05	4.23%
7,000	86.05	89.30	3.78%
8,000	95.30	98.55	3.41%
9,000	104.55	107.80	3.11%
10,000	113.80	117.05	2.86%

GEORGETOWN (INDIANA) MUNICIPAL SEWAGE WORKS

**COMPARISON OF INSIDE AND OUTSIDE TOWN
SEWAGE RATES AND CHARGES**

(Assumes a 1" meter)

<u>Consumption</u> (Gallons)	<u>Inside Town</u> <u>User</u>	<u>Outside Town</u> <u>User</u>	<u>% Surcharge</u>
-	\$50.70	\$58.83	16.04%
1,000	59.95	68.08	13.56%
2,000	69.20	77.33	11.75%
3,000	78.45	86.58	10.36%
4,000	87.70	95.83	9.27%
5,000	96.95	105.08	8.39%
6,000	106.20	114.33	7.66%
7,000	115.45	123.58	7.04%
8,000	124.70	132.83	6.52%
9,000	133.95	142.08	6.07%
10,000	143.20	151.33	5.68%

GEORGETOWN (INDIANA) MUNICIPAL SEWAGE WORKS

**COMPARISON OF INSIDE AND OUTSIDE TOWN
SEWAGE RATES AND CHARGES**

(Assumes a 1 1/2" meter)

<u>Consumption</u> (Gallons)	<u>Inside Town</u> <u>User</u>	<u>Outside Town</u> <u>User</u>	<u>% Surcharge</u>
-	\$115.38	\$134.23	16.34%
1,000	124.63	143.48	15.12%
2,000	133.88	152.73	14.08%
3,000	143.13	161.98	13.17%
4,000	152.38	171.23	12.37%
5,000	161.63	180.48	11.66%
6,000	170.88	189.73	11.03%
7,000	180.13	198.98	10.46%
8,000	189.38	208.23	9.95%
9,000	198.63	217.48	9.49%
10,000	207.88	226.73	9.07%

GEORGETOWN (INDIANA) MUNICIPAL SEWAGE WORKS

**COMPARISON OF INSIDE AND OUTSIDE TOWN
SEWAGE RATES AND CHARGES**

(Assumes a 2" meter)

<u>Consumption</u> (Gallons)	<u>Inside Town</u> <u>User</u>	<u>Outside Town</u> <u>User</u>	<u>% Surcharge</u>
-	\$197.70	\$230.20	16.44%
1,000	206.95	239.45	15.70%
2,000	216.20	248.70	15.03%
3,000	225.45	257.95	14.42%
4,000	234.70	267.20	13.85%
5,000	243.95	276.45	13.32%
6,000	253.20	285.70	12.84%
7,000	262.45	294.95	12.38%
8,000	271.70	304.20	11.96%
9,000	280.95	313.45	11.57%
10,000	290.20	322.70	11.20%