

FILED
February 2, 2021
INDIANA UTILITY
REGULATORY COMMISSION

STATE of INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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IN THE MATTER OF THE PETITION OF EAST)
SHORE CORP. FOR THE SALE AND TRANSFER OF)
ITS FRANCHISE, WORKS, OR SYSTEM AND FOR)
THE SURRENDER OF ITS CERTIFICATES OF) CAUSE NO. 45484
TERRITORIAL AUTHORITY TO RENDER SEWAGE)
DISPOSAL SERVICE IN RURAL AREAS OF)
MARSHALL COUNTY, INDIANA)

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

On January 22, 2021, East Shore Corp. (“Petitioner”) filed its Verified Petition in the above captioned cause and requested this matter be set for an evidentiary hearing. The Presiding Officers, having reviewed the parties’ proposed procedural schedule, establish the following procedural schedule in this matter:

1. **Petitioner’s Prefiling Date.** Petitioner prefiled with the Commission its prepared testimony and exhibits constituting its case-in-chief on January 22, 2021.

2. **The Indiana Office of Utility Consumer Counselor’s (“OUCC”) 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 February 23, 2021. Copies of same shall be served upon all parties of record.

3. **Petitioner’s Rebuttal Prefiling.** Petitioner shall prefile with the Commission its prepared rebuttal testimony on or before March 2, 2021. Copies of same shall be served upon all parties of record.

4. **Evidentiary Hearing on the Parties’ Cases-In-Chief.** In the event this Cause is not settled, the cases-in-chief of Petitioner, the OUCC, and any Intervenors shall be presented in an evidentiary hearing to commence at 9:30 a.m. on March 19, 2021, in Room 222 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. Any response or objection to a discovery request shall be made within five business days of the receipt of such request. Discovery received after 5:00 p.m. will be treated as being received on the next business day; provided, however, that discovery received after 12:00 p.m. on the day immediately preceding a non-business day will be treated as being received on the next business day.

8. **Prefiling of Workpapers.** When prefiling technical evidence with the Commission, each party shall file copies of the work papers 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 L. Ober, Commissioner



Loraine L. Seyfried, Chief Administrative Law Judge

Date: February 2, 2021