

## **IC 8-1-30.5**

### **Chapter 30.5. Water Utility Resource Data**

#### **IC 8-1-30.5-1**

##### **"Commission"**

Sec. 1. As used in this chapter, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.

*As added by P.L.87-2012, SEC.1.*

#### **IC 8-1-30.5-2**

##### **"Water utility"**

Sec. 2. As used in this chapter, "water utility" means:

- (1) a public utility (as defined in IC 8-1-2-1(a));
- (2) a municipally owned utility (as defined in IC 8-1-2-1(h));
- (3) a not-for-profit utility (as defined in IC 8-1-2-125(a));
- (4) a cooperatively owned corporation;
- (5) a conservancy district established under IC 14-33; or
- (6) a regional water district established under IC 13-26;

that provides water service to the public in Indiana for a fee, regardless of whether the entity described in subdivisions (1) through (6) is under the jurisdiction of the commission.

*As added by P.L.87-2012, SEC.1.*

#### **IC 8-1-30.5-3**

##### **Annual report to commission; water resources used; costs of service; required information; annual reports by commission; confidentiality; recommendations**

Sec. 3. (a) For each calendar year, beginning with the calendar year ending December 31, 2012, each water utility shall submit to the commission, on a form or in the manner prescribed by the commission, a report on the following:

- (1) The types of use of the water resources used by the water utility in providing water service to the water utility's Indiana customers.
- (2) The water utility's operations and maintenance costs in providing water service to the water utility's Indiana customers.

(b) The commission shall prescribe the form of the report and the process, deadlines, and other requirements for submitting the report required under this section. However, the commission shall collect the following information for each water utility with respect to the calendar year for which a particular report is submitted:

- (1) The number of Indiana customers served by the water utility.
- (2) A description of the water utility's service territory in Indiana.
- (3) The total utility plant in service with respect to the water utility's Indiana customers.
- (4) The amount and location of the water resources used by the water utility to provide water service to the water utility's Indiana customers.

- (5) The availability and location of additional water resources that could be used, if necessary, by the water utility to provide water service to Indiana customers.
- (6) The amount of funding received, including the purpose of the funding, from the following sources:
  - (A) A state revolving loan program under IC 13-18.
  - (B) The office of community and rural affairs established by IC 4-4-9.7-4.
  - (C) United States Department of Agriculture rural development loans and grants.
  - (D) The Indiana bond bank.
  - (E) The issuance of any debt instruments for the purpose of raising capital to fund infrastructure projects.

(c) Upon receiving the annual reports required under this section, the commission shall compile and organize the data and information contained in the reports. Subject to subsection (d)(1), the commission shall include a summary of the data and information contained in the reports, along with the recommendations described in subsection (d)(2), in:

- (1) an annual report to be submitted by the commission to the legislative council not later than November 1 of each year; and
- (2) the commission's annual report on the water and wastewater industries provided to the regulatory flexibility committee established by IC 8-1-2.6-4.

The annual report to the legislative council required by subdivision (1) must be in an electronic format under IC 5-14-6.

(d) In making the reports required under subsection (c), the commission shall:

- (1) use aggregated data in a manner that:
  - (A) protects the confidential information of individual water utilities; and
  - (B) is consistent with IC 5-14-3-4; and
- (2) include in the reports recommendations concerning:
  - (A) the efficient use of financial resources by water utilities;
  - (B) necessary infrastructure investments by water utilities; and
  - (C) actions designed to minimize impacts on the rates and charges imposed on water and wastewater customers.

*As added by P.L.87-2012, SEC.1.*

#### **IC 8-1-30.5-4**

##### **Rules**

Sec. 4. (a) Subject to subsection (b), the commission may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this chapter. An emergency rule adopted by the commission under IC 4-22-2-37.1 expires on the date a rule that supersedes the emergency rule is adopted by the commission under IC 4-22-2-24 through IC 4-22-2-36.

(b) Any emergency rules adopted by the commission under subsection (a) must take effect by a date that enables a water utility

subject to this chapter to comply with the requirements of this chapter with respect to the calendar year ending December 31, 2012.  
*As added by P.L.87-2012, SEC.1.*