

ORDINANCE 2026-12

**ORDINANCE WITHDRAWING THE AUBURN MUNICIPAL ELECTRIC UTILITY
FROM THE JURISDICTION OF THE INDIANA UTILITY REGULATORY
COMMISSION**

SUMMARY

This Ordinance withdraws the Auburn Municipal Electric Utility from the state regulatory jurisdiction of the Indiana Utility Regulatory Commission pursuant to Ind. Code § 8-1.5-3-9.1.

<u> </u> Recorder's Office	<u> X </u> Publish Public Hearing
<u> </u> Auditor's Office	
<u> X </u> Clerk's Office	<u> </u> Publish O/R after adoption
<u> </u> Other	
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ORDINANCE NO. 2026-12

**ORDINANCE WITHDRAWING THE AUBURN MUNICIPAL ELECTRIC UTILITY
FROM THE JURISDICTION OF THE INDIANA UTILITY REGULATORY
COMMISSION**

WHEREAS, the City of Auburn, Indiana (“City”) owns and operates a municipally owned electric utility known as the Auburn Municipal Electric Utility (“Utility”);

WHEREAS, the Utility operates under Ind. Code § 8-1.5-3, and Ind. Code § 8-1.5-3-9.1 permits a municipal legislative body to withdraw the Utility from the jurisdiction of the Indiana Utility Regulatory Commission (“IURC”) over rates and charges, borrowing, and IURC rules and policies;

WHEREAS, the Common Council of the City of Auburn, Indiana (the “Common Council”) withdrew the City’s water utility from IURC jurisdiction, and the City’s water utility and its customers realized substantial benefits;

WHEREAS, as indicated in the IURC Annual Report for Fiscal Year 2025 ([2025-IURC-Annual-Report.pdf](#)), the Utility is one of only three municipal electric utilities in Indiana still under the jurisdiction of the IURC;

WHEREAS, the Common Council finds that withdrawing the Utility from the jurisdiction of the IURC will avoid significant costs and expenses of IURC regulation that are incurred by the Utility, will allow the Utility to adapt more quickly to changing circumstances by avoiding regulatory lag associated with IURC regulation and will serve to protect Utility customers by saving them money and providing continued quality service, all of which are consistent with the City’s experience withdrawing its water utility from IURC jurisdiction;

WHEREAS, the Common Council finds that withdrawal of the Utility from IURC jurisdiction is in the best interests of the Utility and its customers;

WHEREAS, the Common Council conducted public hearings prior to the adoption of this Ordinance; and

WHEREAS, in compliance with Ind. Code § 8-1.5-3-9.1(b), the Common Council finds that written notice of the proposed withdrawal of the Utility from IURC jurisdiction was provided to all the Utility’s ratepayers and to the IURC at least thirty (30) days before the final vote on this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Auburn, Indiana, as follows:

SECTION 1. WITHDRAWAL FROM IURC JURISDICTION. A new section 51.07 is added to the Code of Ordinances of the City of Auburn, Indiana, as follows:

51.07 REMOVAL OF MUNICIPAL ELECTRIC UTILITY FROM JURISDICTION OF THE INDIANA UTILITY REGULATORY COMMISSION

Pursuant to Ind. Code § 8-1.5-3-9.1, Auburn's municipal electric utility is hereby withdrawn from the jurisdiction of the Indiana Utility Regulatory Commission for purposes of approval of rates and charges, the issuance of stocks, bonds, notes, or other evidences of indebtedness, and all other matters authorized by Ind. Code § 8-1.5-3-9.1.

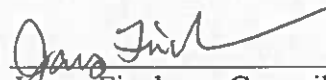
SECTION 2. CONFLICTING ORDINANCES REPEALED. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 3. EFFECTIVE DATE; POST-ADOPTION NOTICE. This Ordinance shall be in full force and effect sixty (60) days after adoption by the Common Council and upon approval by the Mayor or as otherwise provided in Ind. Code § 8-1.5-3-9.1. Within thirty (30) days after the effective date, the Common Council shall mail written notice of the withdrawal to the IURC.

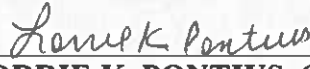
[Signature Pages to Follow]

First Reading _____
Second Reading _____

PASSED AND ADOPTED by the Common Council of the City of Auburn, Indiana this 7th
day of July, 2026.

By: 
James Finchum, Councilmember

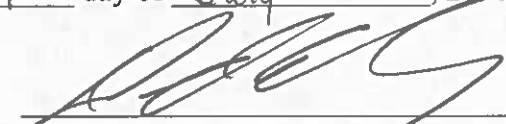
ATTESTED BY:


LORRIE K. PONTIUS, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana this 7th day of
July, 2026.


LORRIE K. PONTIUS, Clerk-Treasurer

APPROVED AND SIGNED by me this 7th day of July, 2026.


DAVID E. CLARK JR., Mayor

First Reading _____
Second Reading _____

VOTING:

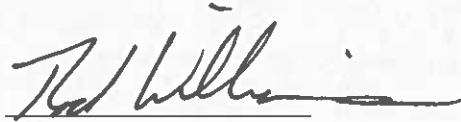
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NAY

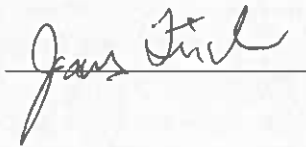
Natalie DeWitt



Rod Williams



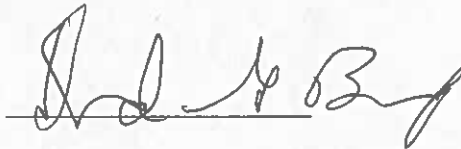
James Finchum



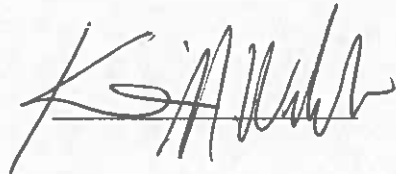
Dan Braun



David Bundy



Kevin Webb



Emily Prosser

