

Received 04.14.2022
Clerk-Treasurer
Auburn, IN

ORDINANCE NO. 2022-06

**AN ORDINANCE OF THE CITY OF AUBURN, INDIANA
ADOPTING A NEW SCHEDULE OF
RATES AND CHARGES FOR SERVICES RENDERED
BY AUBURN MUNICIPAL WATER DEPARTMENT**

SUMMARY

This Ordinance establishes that the City of Auburn, Indiana, owns and operates a municipal water utility known as the Auburn Municipal Water Department (the "Utility") for the purpose of providing water service to residential, commercial and industrial customers within the City of Auburn, Indiana and contiguous areas in DeKalb County. The Utility's existing rates and charges for services were placed into effect on July 1, 2018, following (i) the Indiana Utility Regulatory Commission's ("Commission") approval thereof in Cause No. 44985 on April 18, 2018, and (ii) adoption of an Ordinance by the Common Council of the City of Auburn. In accordance with HB 1002 as passed on March 15, 2022, the Utility intends to file with the Commission a verified petition seeking approval of a new reduced schedule of rates and charges that would reflect removal of the utility receipts tax included in the prior rates.

| | |
|------------------------------------|----------------------------------|
| _____ Recorder's Office | _____ Publish Public Hearing |
| _____ Auditor's Office | _____ |
| _____ Clerk's Office | _____ Publish O/R after adoption |
| _____ Clerk-Treasurer | |
| <u> x </u> Web-Site | |
| <u> x </u> City Code (web based) | |

*IURC via Baker Tilly
4-20-2022*



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IT IS HEREBY ESTABLISHED AND ORDAINED by the Common Council of the City of Auburn, Indiana, that:

WHEREAS, the City of Auburn, Indiana, owns and operates a municipal water utility known as the Auburn Municipal Water Department (the "Utility") for the purpose of providing water service to residential, commercial and industrial customers within the City of Auburn, Indiana and contiguous areas in DeKalb County; and

WHEREAS, the Utility's existing rates and charges for services were placed into effect on July 1, 2018 following (i) the Indiana Utility Regulatory Commission's ("Commission") approval thereof in Cause No. 44985 on April 18, 2018, and (ii) adoption of an Ordinance by the Common Council of the City of Auburn; and

WHEREAS, in accordance with HB 1002 as passed on March 15, 2022, the Utility intends to file with the Commission a verified petition seeking approval of a new reduced schedule of rates and charges that would reflect removal of the utility receipts tax included in the prior rates.

WHEREAS, HB 1002 repeals the Utility Receipts Tax and requires utilities regulated by the IURC to make a filing removing the tax from the rates by May 1; therefore, the City of Auburn is compelled by HB 1002 to pass this Ordinance before May 1, and to get on file the new rates with the IURC.

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WHEREAS, in accordance with HB 1002 as passed on March 15, 2022, the Utility intends to file with the Commission a verified petition seeking approval of a new reduced schedule of rates and charges that would reflect removal of the utility receipts tax included in the prior rates.

WHEREAS, HB 1002 repeals the Utility Receipts Tax and requires utilities regulated by the IURC to make a filing removing the tax from the rates by May 1; therefore, the City of Auburn is compelled by HB 1002 to pass this Ordinance before May 1, and to get on file the new rates with the IURC.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF AUBURN, INDIANA, THAT:

Section 1. The schedule of rates and charges attached hereto as Exhibit "A" is hereby adopted as and for the rates and charges to be utilized by Auburn Municipal Water Department when charging customers for water service, effective as set forth below.

Section 2. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed; provided, however, that the Utility's existing schedule of water rates and charges shall remain in full force and effect until the schedule of rates and charges fixed by this Ordinance shall be approved by the Indiana Utility Regulatory Commission, and until such time as the Order of said Commission approving said new rates and charges shall direct.

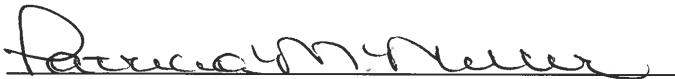
Section 3. This Ordinance shall be in full force and effect from and after its passage; provided, however, that the schedule of rates and charges herein adopted shall not become effective unless and until approved by the Indiana Utility Regulatory Commission or until such time as said Commission shall direct.

ADOPTED AND PASSED by the Common Council of the City of Auburn, Indiana, this 19th day of April 2022.




David G. Bundy, Council Member

ATTEST:




Patricia M. Miller, Auburn Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this 19th day of April 2022.


PATRICIA M. MILLER, Clerk-Treasurer

APPROVED AND SIGNED by me this 19th day of April 2022.


MICHAEL D. LEY, Mayor

VOTING:

AYE

NAY


David Bundy



Kevin Webb



Dennis K Kruse II



Natalie DeWitt



Michael Walter

James Finchum



Dennis Ketzenberger

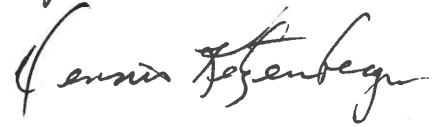


EXHIBIT "A"

**AUBURN MUNICIPAL WATER UTILITY
 Auburn, Indiana**

Schedule of Proposed Rates and Charges

Monthly Metered Rates per 1,000 Gallons Applicable to Residential, Commercial, Industrial and Institutional Meter Classes

| | <u>Current Monthly Rates</u> | <u>Proposed Monthly Rates</u> |
|-----------------------------|---|--|
| <u>Monthly Usage</u> | Rate per 1,000 Gallons | |
| First 15,000 Gallons | 3.58 | 3.53 |
| Next 185,000 Gallons | 3.48 | 3.43 |
| Next 300,000 Gallons | 3.31 | 3.26 |
| Over 500,000 Gallons | 2.83 | 2.79 |

Monthly Service Charge in Addition to Monthly Meter Rates Applicable to Residential, Commercial, Industrial and Institutional Meter Classes

| <u>Meter Size</u> | <u>Current</u> | <u>Proposed</u> |
|--------------------------|-----------------------|------------------------|
| 5/8 - 3/4 Inch Meter | 4.51 | 4.45 |
| 1 Inch Meter | 8.84 | 8.72 |
| 1-1/2 Inch Meter | 17.70 | 17.45 |
| 2 Inch Meter | 30.12 | 29.71 |
| 3 Inch Meter | 65.56 | 64.67 |
| 4 Inch Meter | 115.19 | 113.62 |
| 6 Inch Meter | 257.00 | 253.49 |
| 8 Inch Meter | 455.52 | 449.30 |
| 10 Inch Meter | 710.76 | 701.07 |
| 12 Inch Meter | 1,022.72 | 1,008.78 |

Monthly Fire Protection Surcharge in Addition to Monthly Meter Rates and Service Charge Applicable to Residential, Commercial, Industrial and Institutional Meter Classes

| <u>Meter Size</u> | <u>Current</u> | <u>Proposed</u> |
|--------------------------|-----------------------|------------------------|
| 5/8 - 3/4 Inch Meter | 9.66 | 9.53 |
| 1 Inch Meter | 24.73 | 24.39 |
| 1-1/2 Inch Meter | 55.65 | 54.89 |
| 2 Inch Meter | 98.91 | 97.57 |
| 3 Inch Meter | 222.57 | 219.53 |
| 4 Inch Meter | 395.67 | 390.28 |
| 6 Inch Meter | 890.27 | 878.13 |
| 8 Inch Meter | 1,582.69 | 1561.11 |
| 10 Inch Meter | 2,472.95 | 2,439.24 |
| 12 Inch Meter | 3,561.08 | 3,512.54 |

| | Current Annual Rates | Current Monthly Rates | Proposed Annual Rates | Proposed Monthly Rates |
|---|-----------------------------|------------------------------|------------------------------|-------------------------------|
| Private Fire Hydrants | 1,093.68 | 91.14 | 1,078.68 | 89.89 |
| <u>Private Sprinklers - per Annum - per Connection</u> | | | | |
| <u>Connection Size</u> | | | <u>Charge</u> | |
| 2 Inch Connection | 121.44 | 10.12 | 119.76 | 9.98 |
| 3 Inch Connection | 273.36 | 22.78 | 269.64 | 22.47 |
| 4 Inch Connection | 486.00 | 40.50 | 479.28 | 39.94 |
| 6 Inch Connection | 1,093.68 | 91.14 | 1,078.68 | 89.89 |
| 8 Inch Connection | 1,944.24 | 162.02 | 1,917.72 | 159.81 |
| 10 Inch Connection | 3,038.16 | 253.18 | 2,996.64 | 249.72 |
| 12 Inch Connection | 4,374.60 | 364.55 | 4,314.96 | 359.58 |

Miscellaneous

| | | | | |
|------------------------------------|--------|------|-------|------|
| Public Drinking Fountain per Annum | 100.32 | 8.36 | 98.88 | 8.24 |
|------------------------------------|--------|------|-------|------|

Water Meter and Set Fee

The following charge applies when all necessary connection parts except for the utility provided meter is installed.

| <u>Meter Size</u> | (Set Fee) <u>Proposed</u> | <u>Meter</u> |
|-------------------|------------------------------|--------------|
| 3/4 Inch Meter | 75.00 | Actual Cost* |
| 1 Inch Meter | 75.00 | Actual Cost* |

*All meters will be charged at actual cost for the following: meter with remote, meter yoke, transportation and labor.

Water Service Attachments

All applications for service attachments to the water distribution for the purpose of introducing water into any premise, as well as applications for the use of water, must be made at the Department of Building, Planning and Development Office by the owner of the premise into which water is proposed to be introduced. The application shall be upon forms prescribed by the Department and signed by the applicant or his authorized agent.

The applicant shall pay in advance the following water tap charges, which shall include a corporation stop, curb stop, service box, copper tubing, backhoe, operator service and labor:

| <u>Tap Size</u> | <u>Short Run Proposed Rates</u> | <u>Long Run Proposed Rates</u> |
|-----------------|---|--|
| 3/4 Inch Tap | 738.45 | 1,649.00 |
| 1 Inch Tap | 810.43 | 1,719.71 |
| 1-1/2 Inch Tap | 1,032.00 | 1,995.00 |
| 2 Inch Tap | 1,311.00 | 2,275.00 |
| 4 Inch Tap | 1,549.00 | N/A |
| 6 Inch Tap | 1,719.00 | N/A |
| 8 Inch Tap | 2,281.00 | N/A |
| 10 Inch Meter | 3,455.00 | N/A |
| 12 Inch Meter | 4,385.00 | N/A |

In addition, the customer will pay to the utility the actual cost of the meter.

Non-Recurring Charges

The following non-recurring charges shall be made for the transaction and/or services as specifically set forth:

| | <u>Proposed Rates</u> |
|----------------------------------|---------------------------|
| Remote Installation Charge | 27.80 |
| Frozen Meter Installation Charge | 100.00 * |

* In addition, the customer will pay to the utility the actual cost of the meter.

Temporary User

Water furnished to temporary users, such as contractors, etc... shall be charged on the basis of the above gallonage rates as estimated by the Waterworks Superintendent. When a meter is installed for such purposes, the regular water rates and service charges shall apply and the temporary user shall pay for the installation and removal of the meter.

Collection and Deferred Payment Charges

All bills for water services not paid within seventeen (17) days from the due date thereof, as stated in such bills, shall be subject to a collection or deferred payments charge of 10% on the first \$3.00 and 3% on the excess over \$3.00.

SECTION applies for purposes of computation of the utility receipts and utility services use taxes (IC 6-2.3, before its repeal by this act). For taxable years that include June 30, 2022, the tax imposed under IC 6-2.3 must be computed based on the taxable receipts of the taxpayer received before July 1, 2022. For purposes of calculating the deduction under IC 6-2.3-5-1 for the taxable year that includes June 30, 2022, the deduction allowed must be prorated based on:

(1) the number of days in the taxpayer's taxable year before July 1, 2022; divided by

(2) the total number of days in the taxpayer's taxable year.

(b) This SECTION expires July 1, 2025.

SECTION 25. An emergency is declared for this act.

HEA 1002