

**AN ORDINANCE REGARDING REGULATION OF
THE CITY OF CHARLESTOWN'S WATER UTILITY
BY THE INDIANA UTILITY REGULATORY COMMISSION**

WHEREAS the City of Charlestown owns and operates a municipal water utility (the:"utility") which provides drinking water service for the city of Charlestown (the: "City"); and,

WHEREAS, for at least ten (10) years, if ever, the utility has not filed reports with the Indiana Utility Regulatory Commission; and,

WHEREAS, there is a legitimate question whether the utility has ever been under the jurisdiction of the Indiana Utility Regulatory Commission (IURC) for purpose of approval of rates, charges and evidences of indebtedness; and,

WHEREAS, because of the deteriorated condition of the utility's water distribution system, the utility may need to incur indebtedness and/or make a rate change in an expedited fashion; and,

WHEREAS, the process of determining whether the utility is under the jurisdiction of the IURC and/or obtaining approval from the Indiana Utility Regulatory Commission for rate/regulation changes would delay the implementation of the actions and/or policies which will allow expedited repair of the City's water supply system; and;

WHEREAS, I.C. 8-1.5-3 *et seq.* outlines the procedures which are required to be filed in order to remove a utility from the jurisdiction of the Indiana Utility Regulatory Commission; and,

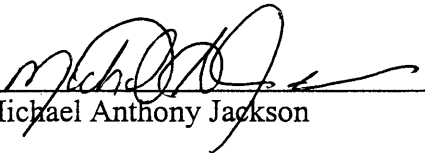
WHEREAS, written notice of a public hearing for purposes of considering removal of the City's water utility from the jurisdiction of Indiana Utility Regulatory Commission has, at least thirty (30) days before the final vote on this ordinance, been mailed to all rate payers of the utility and to the Indiana Utility Regulatory Commission.

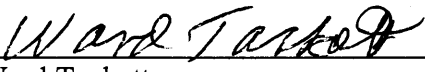
NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Charlestown, that the City of Charlestown's municipally owned water utility shall be taken out of the jurisdiction of the Indiana Utility Regulatory Commission, to the extent that the IURC continues to exercise any jurisdiction over that utility. This shall include, but not be limited to, supervision by the Indiana Utility Regulatory Commission for purposes of the approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness.

This ordinance shall take affect sixty (60) days after its adoption by the Charlestown City Council.


ALL OF WHICH IS APPROVED BY THE COMMON COUNCIL OF THE CITY OF CHARLESTOWN on this 2nd day of July, 2001.

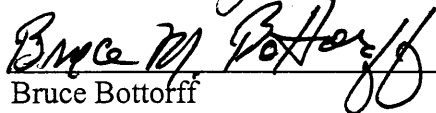
AYES


Michael Anthony Jackson


Ward Tackett

Terry Pierce

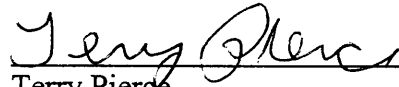

Ed Bolly


Bruce Bottorff

NAYS

Michael Anthony Jackson

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Terry Pierce

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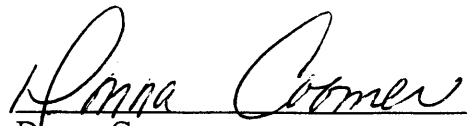
Bruce Bottorff

Seen and approved this 2nd day of July 2001 by:


Mayor G. Robert Hall, Mayor

ATTEST:

7-2-01
Date


Denna Coomer,
City Clerk/Treasurer