RESOLUTION NO. 2024-03

RESOLUTION OF THE LEBANON UTILITY SERVICE BOARD RECOMMENDING WITHDRAWAL OF ELECTRIC UTILITY FROM THE JURISDICTION OF THE INDIANA UTILITY REGULATORY COMMISSION

WHEREAS, the City of Lebanon, Indiana ("City") owns and operates through the Lebanon Utility Service Board ("Board") a municipal electric utility known as Lebanon Utilities ("Utility") for the purpose of providing safe, reliable and efficient electric utility services in and around the City pursuant to Ind. Code §8-1.5 *et. seq.*, as amended along with other applicable provisions of Indiana law (collectively, the "Act");

WHEREAS, the Board and Utility Staff operate the not-for-profit Utility in a responsible and prudent manner, resulting in rates that are presently lower than many other Indiana for-profit electric companies;

WHEREAS, the Indiana Utility Regulatory Commission ("IURC") has jurisdiction over the rates, charges, and evidences of indebtedness for the Utility;

WHEREAS, as a result of the City's significant growth and development, the Utility finds it necessary to more quickly adopt its procedures, charges and tariffs in a more efficient and effective manner;

WHEREAS, recognizing the City's continued local governance and oversight, in the interest of efficiency and cost, the Board wishes to withdraw the Utility from the jurisdiction of the IURC; and

WHEREAS, the Board uses Cost of Service Study criteria to establish rates and tariffs based upon the actual cost of providing electric services to the ratepayers.

NOW, THEREFORE, BE IT RESOLVED BY THE LEBANON UTILITY SERVICE BOARD, the approval of this Resolution 2024-03 recommending that the Common Council for the City of Lebanon adopt an Ordinance removing the Utility from the jurisdiction of the IURC; and

BE IT FURTHER RESOLVED by the Lebanon Utility Service Board the continued use of various procedures and Cost of Service Study criteria:

1. Cost of Service Studies will be completed by a third-party consulting firm with expertise in assessing the costs and rate structures associated with providing electrical services by municipally owned electric utilities.
2. Guidelines established by the IURC for service disconnection due to non-payment and reconnections will be utilized.
3. Guidelines established by the IURC for fees assessed due to late and non-payment will be utilized.
4. Rate adjustments for the Utility require adherence to Indiana State Law processes and procedures, including customer protection via the requirement for nondiscriminatory, reasonable and just charges pursuant to IC § 8-1.5-3-8, customer input at public hearings, and rate adjustments approved by the Board and Common Council for the City of Lebanon.

[signature page to follow]

Adopted by the Lebanon Utility Service Board this 20th day of March, 2024.

Voting For	**Voting Against**	**Abstain**
Neil Taylor	Neil Taylor	Neil Taylor
Bill Stoner	Bill Stoner	Bill Stoner
Anne Patterson	Anne Patterson	Anne Patterson
Tim Hudson	Tim Hudson	Tim Hudson
Aaron Smith	Aaron Smith	Aaron Smith

ATTEST: _____
Tim Hudson, Secretary