

Resolution 2020-19

Resolution Regarding Petitions filed on Rate Increase for Westbrook, Indiana

WHEREAS, the Delaware County Commissioners (hereinafter "Commissioners") have been petitioned to review the rates charged for the Delaware County Regional Wastewater District (hereinafter "District").

BE IT RESOLVED, that the Commissioners find as follows:

1. Pursuant to I.C. 13-26-11-15(b)(1)(A), the Commissioners are the district authority for the Delaware County Wastewater District which is located in Delaware County, Indiana.
2. The District passed Ordinance 2020-03 raising the monthly sewer rate for Westbrook, Indiana which is part of the District from \$48.90 per month to \$70.36 per month.
3. The previous sewer rate for Westbrook, Indiana of \$48.90 per month was adopted on June 15, 2011.
4. The current sewer rate for Westbrook, Indiana of \$70.36 per month was adopted on April 30, 2020.
5. The following is part of IC 13-26-11-15(c): "If a district adopts an ordinance increasing sewer rates and charges at a rate that is greater than five percent (5%) **per year**, as calculated from the rates and charges in effect from the date of the districts last rate increase, the district shall mail, either separately or along with a periodic billing statement, a notice of the new rates and charges to each user of the sewer system who is affected by the increase." (emphasis added)
6. The monthly rate increase for Westbrook, Indiana is less than 5% per year. The monthly rate increase would have to have been over \$75.86 per month to be at least 5% per year from the last rate increase.
7. The Commissioners received a petition from over 50 rate payers in the District on May 21, 2020.
8. The petition does not set forth any grounds for the ratepayer's objection to the monthly rate increase as required by IC 13-26-11-15(d)(3).

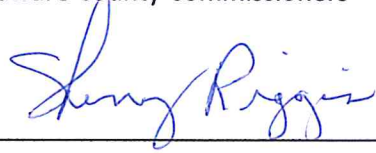
BE IT FURTHER RESOLVED, that the Commissioners find that they have no statutory authority to conduct a public hearing on this matter under IC 13-26-11-15.

BE IT FURTHER RESOLVED, that the Commissioners have no statutory authority to review the monthly rate increase for Westbrook, Indiana.

BE IT FURTHER RESOLVED, the petition does not meet the statutory grounds found in IC 13-26-11-15.

All of this is adopted this 1st day of June, 2020.

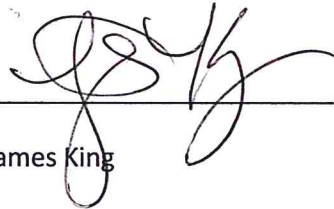
Delaware County Commissioners



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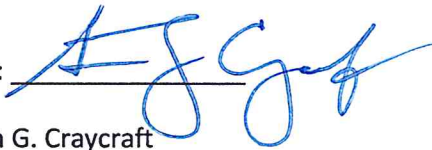


Shannon Henry



James King

Attest:



Steven G. Craycraft