

**STATE OF INDIANA**

**INDIANA UTILITY REGULATORY COMMISSION**

**IN THE MATTER OF THE JOINT PETITION OF            )**  
**DUKE ENERGY INDIANA, LLC AND                    )**  
**TIPMONT RURAL ELECTRIC                            )**  
**MEMBERSHIP CORPORATION                         )**  
**PURSUANT TO IND. CODE § 8-1-2.3-6 FOR         )** **CAUSE NO. \_\_\_\_\_**  
**APPROVAL OF A CHANGE TO THE SERVICE         )**  
**AREA BOUNDARIES WITHIN U.S.G.S. FACET        )**  
**MAP J-12-1 IN TIPPECANOE COUNTY, INDIANA     )**

**VERIFIED JOINT PETITION**  
**TO MODIFY SERVICE AREA BOUNDARIES**

Duke Energy Indiana, LLC (“Duke Energy Indiana”) and Tipmont Rural Electric Membership Corporation (“Tipmont REMC”), jointly petition the Indiana Utility Regulatory Commission (“IURC” or “Commission”) to approve their Agreement to modify service area boundaries located on U.S.G.S. Facet Map J-12-1 in Tippecanoe County, Indiana, and state in support thereof:

1. Joint Petitioner, Duke Energy Indiana, is a public utility organized and existing under the laws of the State of Indiana and has its principal office at 1000 East Main Street, Plainfield, Indiana. It is a wholly-owned subsidiary of Duke Energy Indiana Holdco, LLC and an affiliate of Duke Energy Business Services LLC and Duke Energy Corporation. It is engaged in the business of distributing, furnishing, and selling retail electric service to the public in numerous counties in the State of Indiana, including Tippecanoe County, and has charter authority to do so.

2. Joint Petitioner, Tipmont REMC, is a Rural Electric Membership Corporation organized and existing under the laws of the State of Indiana, with its principal place of business located in Linden, Indiana. It is engaged in the business of distributing, furnishing, and selling

retail electric service to the public in several counties in the State of Indiana, including Tippecanoe County, and has charter authority to do so.

3. Each Joint Petitioner is an “electricity supplier” as such term is defined by Ind. Code § 8-1-2.3-2(b) and the provisions of Ind. Code § 8-1-2.3-1 *et seq.* are deemed applicable to the subject matter of this Joint Petition.

4. Pursuant to the Commission’s August 24<sup>th</sup>, 1983, Final Order (“Final Order”) in Cause No. 36299-S217(X), the Commission established boundary lines between the Joint Petitioners on U.S.G.S. Facet Map J-12-1 utilizing the modified mid-point between then existing electric distribution lines of the Joint Petitioners.

5. Portions of the boundary lines approved in said Final Order traversed through real estate in U.S.G.S. Facet Map J-12-1, which real estate was essentially undeveloped at the time of the Final Order. Since that time, the Joint Petitioners have agreed that certain service territory modifications between Duke Energy Indiana and Tipmont REMC have become necessary. The Joint Petitioners’ proposed modifications are shown on U.S.G.S. Facet Map J-12-1 and Facet Exhibit “A” attached hereto.

6. U.S.G.S. Facet Map J-12-1 identifies the proposed boundary changes as the diagonal cross-hatched area. Facet Exhibit “A” is a more detailed map of the property at issue with the proposed boundary changes identified as “Proposed Service Territory Trade Between Duke Energy Indiana and Tipmont REMC.” This change in service boundaries consists of Duke Energy Indiana losing service territory and Tipmont REMC gaining service territory.

7. U.S.G.S. Facet Map J-12-1 identifies the proposed boundary changes as the diamond cross-hatched area. Facet Exhibit “A” is a more detailed map of the property at issue with the proposed boundary changes identified as “Proposed Service Territory Trade Between Duke

Energy Indiana and Tipmont REMC.” This change in service boundaries consists of Tipmont REMC losing service territory and Duke Energy Indiana gaining service territory.

8. Joint Petitioners are making this boundary modification to serve the property at McCarty Lane and South 650 East located on U.S.G.S. Map J-12-1 more efficiently without costly line extensions for either utility. The boundary was set prior to the road on McCarty Lane being constructed and this boundary modification will correct an issue from a previous Final Order in Cause No. 36299-S217(X), and allow Duke Energy Indiana to serve a small subdivision being developed on the county road without the road being split between utilities.

9. The proposed modifications as requested herein, will not cause duplication of facilities, cause a waste of materials or resources, or cause uneconomic, inefficient, or inadequate electric service to the public, all as required by Ind. Code § 8-1-2.3-6(a)(2).

10. The Commission has jurisdiction of this action pursuant to Ind. Code § 8-1-2.3-6(a)(2).

11. The name and address of Duke Energy Indiana’s attorney in this matter duly authorized to accept service of all pleadings, Orders and other documents is:

Andrew J. Wells  
Duke Energy Business Services LLC  
1000 East Main Street  
Plainfield, IN 46168  
Telephone: (317) 838-2461  
Email: [Andrew.Wells@duke-energy.com](mailto:Andrew.Wells@duke-energy.com)

12. The name and address of Tipmont REMC's attorney in this matter duly authorized to accept service of all pleadings, Orders, and other documents is:

Jane Dall Wilson  
FAEGRE DRINKER BIDDLE & REATH LLP  
300 N Meridian Street, Suite 2500  
Indianapolis, Indiana 46204  
Telephone: (317) 237-0300  
Facsimile: (317) 237-0100  
Email: [Jane.wilson@faegredrinker.com](mailto:Jane.wilson@faegredrinker.com)

13. In accordance with amended Ind. Code § 8-1-2.3-6, Joint Petitioners will publish notice of these changes, in a newspaper of general circulation in Tippecanoe County, Indiana. See Exhibit B for a copy of the Notice. Further in accordance with 170 IAC 1-1.1-9, Duke Energy Indiana will post the Legal Notice on its Company website located at <https://www.duke-energy.com/home/billing/rates> and Tipmont REMC will post the Legal Notice on its Company website located at <https://connect.tipmont.org/categories/electric/notice-of-electric-service-territory-change>, where each Legal Notice will remain for at least thirty (30) days following a Final Order in this cause of action.

14. Also pursuant to 170 IAC 1-1.1-9, Joint Petitioners hereby provide notice to this Commission that the Parties reasonably anticipated to participate in this proceeding, Duke Energy Indiana, Tipmont REMC and the Office of Utility Consumer Counselor ("OUCC"), are in agreement with the following Proposed Procedural Schedule:

<b>August 19, 2024:</b>	Joint Petitioners will file their Petition with the Commission.
<b>August 26, 2024:</b>	The latest date by which Joint Petitioners will publish legal notice of the service territory boundary changes in a newspaper of general circulation in Tippecanoe County, Indiana. See Exhibit B for a copy of the Legal Notice.

- September 16, 2024:** The latest date by which the OUCC may prefile Testimony and Exhibits, if any, or request an evidentiary hearing in this cause of action.
- September 23, 2024:** Joint Petitioners will file their Submittal of Proposed Form of Order and Proof of Publication. If after publication of the Legal Notice and twenty (20) days have passed and no affected electricity customer has requested a hearing, Joint Petitioners advise they waive an evidentiary hearing concerning this Petition.
- October 23, 2024:** The end target date by which the parties request the issuance of the Commission's Final Order concerning this Petition.

15. The technical representative for Tipmont REMC is Joe Kline, Director of Outside Plant, who can be reached at [jkline@tipmont.com](mailto:jkline@tipmont.com) and (765) 426-6170 and the technical representative for Duke Energy Indiana is Kurt Lorey, Senior GIS Technologist, who can be reached at [Kurt.Lorey@duke-energy.com](mailto:Kurt.Lorey@duke-energy.com) and (317) 838-4211.

16. The Joint Petitioners agree to work with the Commission staff to update the Commission GIS maps, in accordance with any approval of boundary changes.

17. The requested boundary changes will not cause the service supplier to change for any existing customer.

WHEREFORE, Joint Petitioners, Duke Energy Indiana and Tipmont REMC, respectfully request that the Commission, pursuant to Ind. Code § 8-1-2.3-6(a)(2), after twenty (20) days and if no affected electricity customer requests a hearing, enter an Order in this proceeding, without a hearing, permanently approving the changes to the service area boundaries on U.S.G.S. Facet Map J-12-1, as identified on Facet Exhibit "A", as proposed in this Joint Petition.

Respectfully submitted,

By:



Andrew J. Wells

Counsel for Duke Energy Indiana, LLC

Andrew J. Wells, Attorney No. 29545-49  
Duke Energy Business Services LLC  
1000 East Main Street  
Plainfield, IN 46168  
Telephone: (317) 838-2461  
Facsimile: (317) 991-1273  
Email: [Andrew.Wells@duke-energy.com](mailto:Andrew.Wells@duke-energy.com)

**VERIFICATION**

I, Joe Kline, Director of Outside Plant, affirm under penalties of perjury, that the foregoing representations contained in this Verified Joint Petition To Modify Service Area Boundaries that pertain to Tipmont Rural Electric Membership Corporation are true and correct to the best of my knowledge, information, and belief.

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Joe Kline  
Director of Outside Plant

**VERIFICATION**

I, Richard McClain, affirm under penalties of perjury, that the foregoing representations contained in this Verified Joint Petition to Modify Service Area Boundaries that pertain to Duke Energy Indiana, LLC are true and correct to the best of my knowledge, information and belief.

Dated: 8/20/2024



Richard McClain  
Director, CD Area Operations  
Duke Energy Indiana, LLC



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Verified Petition was electronically delivered this 20<sup>th</sup> day of August 2024, to:

Indiana Office of Utility Consumer Counselor  
ATTN: Victor Peters  
PNC Center  
115 W. Washington St., Suite 1500 South  
Indianapolis, IN 46204  
[vipeters@oucc.in.gov](mailto:vipeters@oucc.in.gov)  
[infomgt@oucc.in.gov](mailto:infomgt@oucc.in.gov)

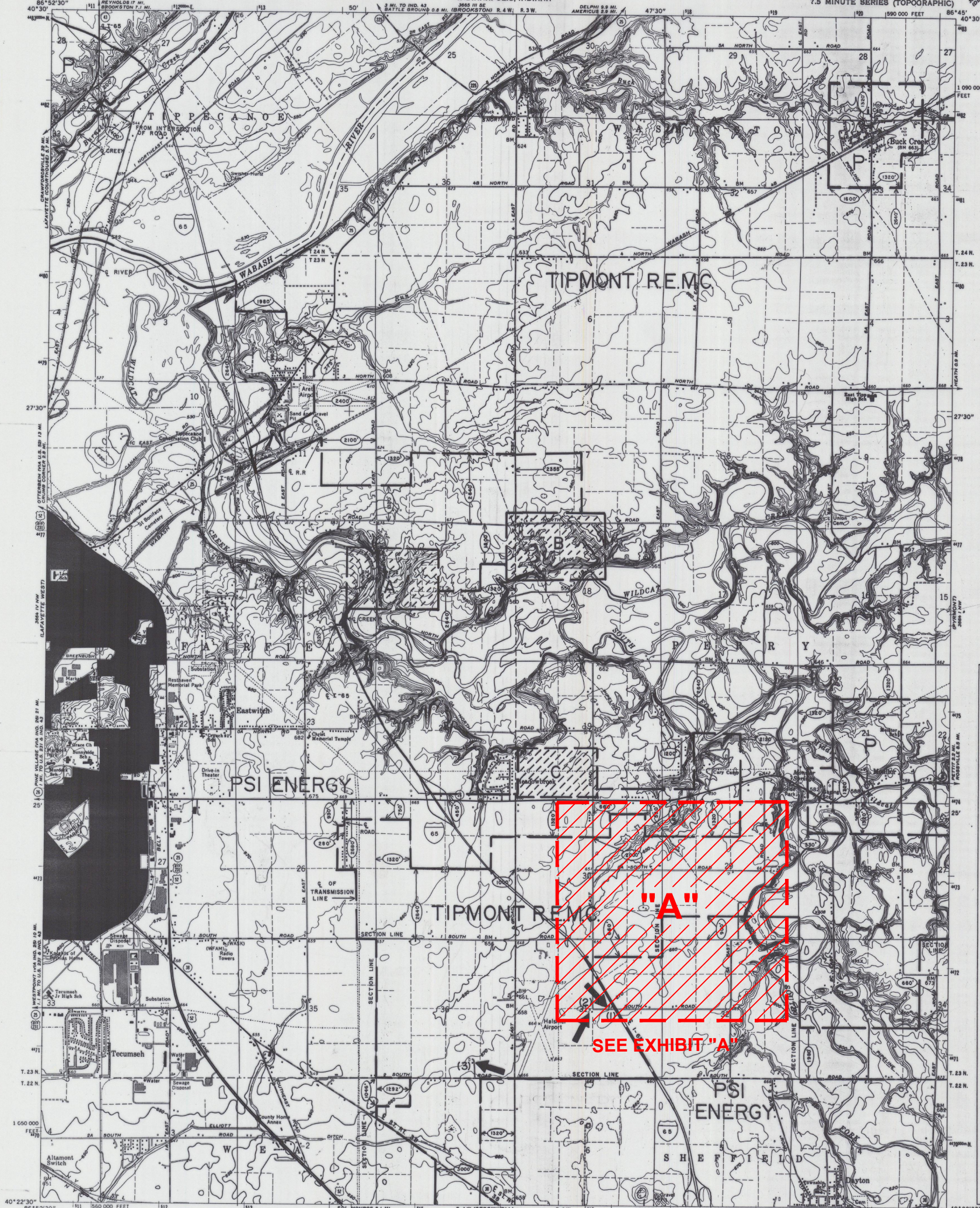
Jane Dall Wilson  
FAEGRE DRINKER BIDDLE & REATH LLP  
300 N Meridian Street, Suite 2500  
Indianapolis, Indiana 46204  
[Jane.wilson@faegredrinker.com](mailto:Jane.wilson@faegredrinker.com)



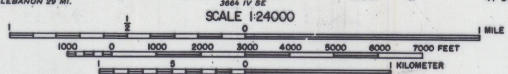
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Attorney for Joint Petitioner  
Duke Energy Indiana, LLC

Andrew J. Wells  
Duke Energy Business Services LLC  
1000 East Main Street  
Plainfield, IN 46168  
Telephone: (317) 838-2461  
Facsimile: (317) 991-1273  
[Andrew.Wells@duke-energy.com](mailto:Andrew.Wells@duke-energy.com)



COMPILED FROM U.S. GEOLOGICAL SURVEY MAP  
**ELECTRIC UTILITY SERVICE AREAS**  
STATE OF INDIANA



APPROVED P.S.C.I. ORDER 36299-S.217(X) DATE AUGUST 24, 1983

**APPROVED**  
JUL 17 1984  
PUBLIC SERVICE COMMISSION  
OF INDIANA  
ENGINEERING DEPT.

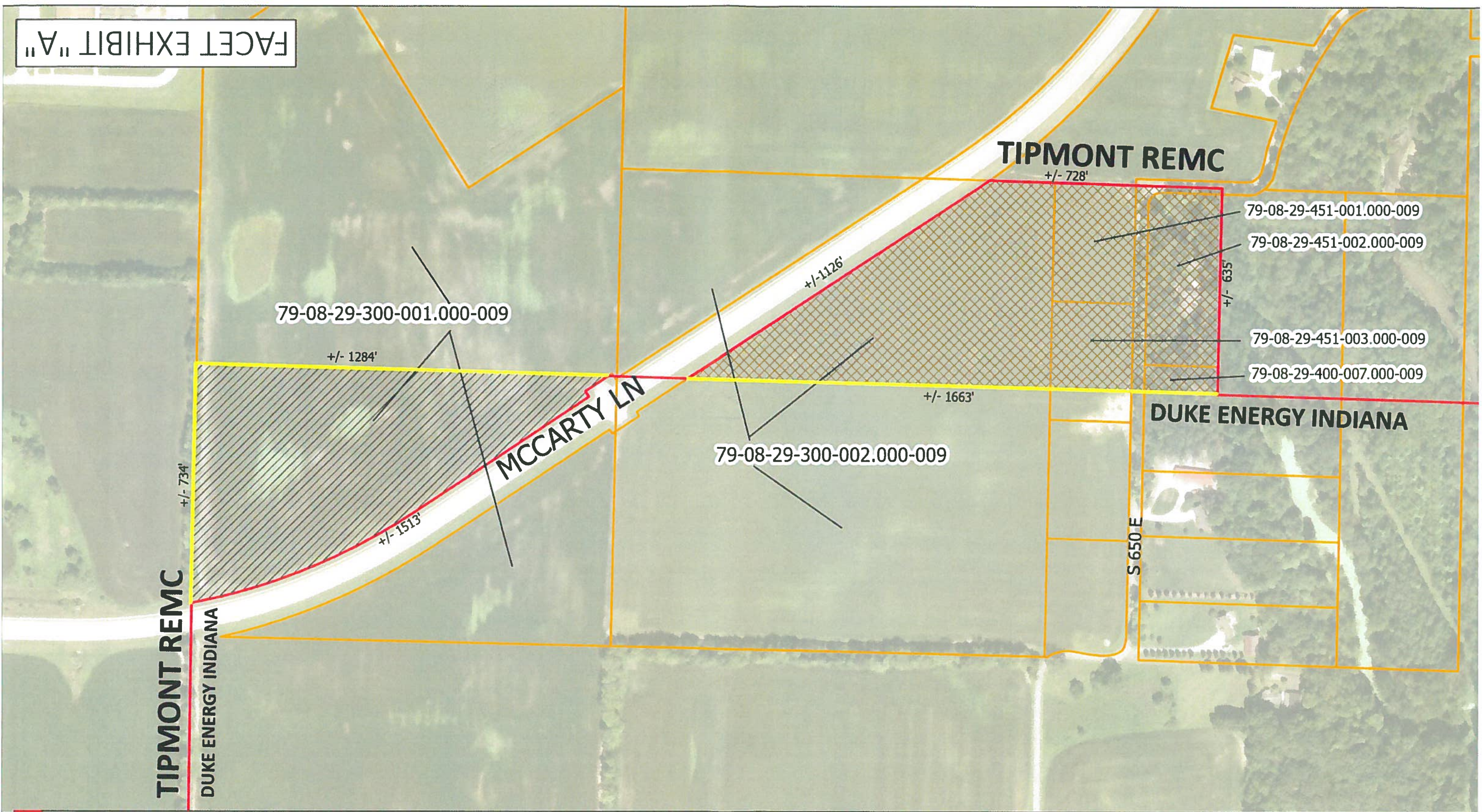
UTILITY ELECTRIC UTILITIES SERVING THIS AREA **J-12-1**  
P PUBLIC SERVICE INDIANA BY *James A. ...* TITLE *Dr. V.P.* DATE *2/9/83*  
55 TIPMONT R.E.M.C. BY *Robert ...* TITLE *STATE ENGR.* DATE *2-25-83*

- NOTES:  
A. SEE SUBFACET J-12-2-A (DETAILED BOUNDARY)  
B. SEE SUBFACET J-12-2-B (DETAILED BOUNDARY)  
C. SEE SUBFACET J-12-2-C (DETAILED BOUNDARY)  
(1), (2), (3) TO BE SERVED BY PSI ENERGY UNTIL LAND IS DEVELOPED.

CAUSE	DESCRIPTION OF CHANGES	UTILITY	APPROVED BY	TITLE	DATE
38219-SI	BOUNDARY CHG. SUBARI-I-SUZU	PSI ENERGY	<i>James A. ...</i>	<i>Dr. V.P.</i>	<i>2/9/83</i>
38219-SI	BOUNDARY CHG. SUBARI-I-SUZU	TIPMONT R.E.M.C.	<i>Robert ...</i>	<i>STATE ENGR.</i>	<i>2-25-83</i>
40242	BUCK CREEK, BROOKFIELD HTS.	PSI ENERGY	<i>James A. ...</i>	<i>Dr. V.P.</i>	<i>2-7-86</i>
40242	BUCK CREEK, BROOKFIELD HTS.	TIPMONT R.E.M.C.	<i>Robert ...</i>	<i>STATE ENGR.</i>	<i>2-7-86</i>

FILE  
APR 16 1984  
SCANNED

FACET EXHIBIT "A"



- NEW BOUNDARY
- PARCELS
- TO\_DUKE
- TO\_TIPMONT
- OLD BOUNDARY

APPROVALS:  
FOR DUKE ENERGY INDIANA:

BY Brian Funk DATE 7-10-24  
FOR TIPMONT REMC:

BY [Signature] DATE 7-10-24



VECTOR FILENAME:

RASTER FILENAME:

INDEX	Smallworld/DUKE DATA EXTRACTION
DETAIL	PROPOSED SERVICE TERRITORY TRADE BETWEEN DUKE ENERGY INDIANA AND TIPMONT REMC

SCALE FACTOR: 1:3200'

LOCATION TIPPECANOE COUNTY		
APP.	DRAFTSPERSON C.R.KNIGHTS	DATE 7/2/2024
	CK. KEL	SCALE N.T.S.

7/2/2024

FACET EXHIBIT "A"

**EXHIBIT B**

**LEGAL NOTICE  
DUKE ENERGY INDIANA, LLC AND  
TIPMONT RURAL ELECTRIC MEMBERSHIP CORPORATION  
NOTICE OF INTENT TO FILE CHANGE IN BOUNDARY LINES**

DUKE ENERGY INDIANA, LLC (“Duke Energy Indiana”) and Tipmont Rural Electric Membership Corporation (“Tipmont REMC”) hereby give notice that on August 20, 2024, a Joint Petition was filed with the Indiana Utility Regulatory Commission for approval to modify service area boundaries between Duke Energy Indiana and Tipmont REMC associated with a location at McCarty Lane and S. 650 E. in Lafayette, Indiana located on U.S.G.S. Facet Map J-12-1 in Tippecanoe County, Indiana pursuant to Ind. Code § 8-1-2.3-6.

**Duke Energy Indiana, LLC**  
By: Stan Pinegar, President