

**GENERAL ADMINISTRATIVE ORDER
OF THE INDIANA UTILITY REGULATORY COMMISSION
2025-XX**

WHEREAS, House Enrolled Act 1459 (“HEA 1459”) was signed into law by Governor Mike Braun on April 16, 2025, with an effective date of July 1, 2025; and

WHEREAS, HEA 1459 added Indiana Code § 8-1-2-128, defining the water utilities and wastewater utilities to which this statute applies in Ind. Code § 8-1-2-128(b)(3) and that are not under the jurisdiction of the Indiana Utility Regulatory Commission (“IURC” or “Commission”) for approval of rates and charges; and

WHEREAS, Ind. Code § 8-1-2-128(c) requires these water utilities and wastewater utilities to submit a report on the status of the utility’s asset management program to the Commission on a quadrennial basis; and

WHEREAS, Ind. Code § 8-1-2-128(c) sets forth the information that must be included in the report, including information:

- (1) demonstrating the water or wastewater utility’s efforts to implement the guidelines under Ind. Code chapter 5-1.2-10 for asset management programs; and
- (2) certifying that the water or wastewater utility has the technical, managerial, legal, and financial capability to support those efforts; and

WHEREAS, Ind. Code § 8-1-2-128(h) provides that, before October 1, 2025, the Commission shall issue a general administrative order setting forth:

- (1) the information required to be included in a report,
- (2) the procedures for submitting a report with a simplified alternative reporting form for small water or wastewater utilities,
- (3) the quadrennial reporting schedule for submitting a report,
- (4) the criteria to be used by the Commission to determine efforts to establish and implement an asset management plan and to identify a deficiency that would require a water or wastewater utility to undergo an informal rate review, and
- (5) any other information the Commission considers relevant; and

WHEREAS, Ind. Code § 8-1-2-128(i) allows the Commission to delegate its authority to review reports submitted by water or wastewater utilities and to issue determinations and notice of deficiency; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Commission delegates its authority under Ind. Code § 8-1-2-128 to the Commission’s Water and Wastewater Division staff and other IURC staff as needed, and approves the Asset Management Program Reporting for Water Utilities and Wastewater Utilities in the attached Appendix A.

HUSTON, BENNETT, FREEMAN, VELETA, AND ZIEGNER CONCUR:

APPROVED:

**I hereby certify that the above is a true
and correct copy of the Order as approved.**

Dana Kosco, Secretary of the Commission

DRAFT

**APPENDIX A TO GAO 2025-XX
ASSET MANAGEMENT PROGRAM REPORTING
FOR WATER UTILITIES AND WASTEWATER UTILITIES**

The following guidance is provided for water utilities and wastewater utilities as defined in Ind. Code § 8-1-2-128(b) to submit information regarding their asset management programs (AMPs) to the Indiana Utility Regulatory Commission (“IURC” or “Commission”) Water and Wastewater Division staff, as required by Ind. Code § 8-1-2-128.

- I. Purpose and General Process
 - a. The purpose of this guidance is to encourage water utilities and wastewater utilities that are not currently under IURC rates and charges jurisdiction to report on and, over time, improve their asset management programs, as part of good utility planning and practice.
 - b. The guidance and guidelines of the Indiana Finance Authority (IFA) are aspirational. Utilities are not expected to implement each of IFA guidelines, as Commission staff realize that AMPs will likely vary based on the utility’s specific structure, operations, and needs.
 - c. The reports for each four-year period will be accomplished through an online questionnaire that will be accessed through the IURC website, which will also provide additional information.
 - d. The intent is for the questionnaire to be simple enough for small utilities (serving fewer than 1,000 customers) to be able to complete it.
 - e. The first four-year cycle (2026-2029) will focus on information collection regarding the status of each utility’s asset management program at the time of the report, understanding that there will likely be significant but reasonable differences between utilities and that it is acceptable to answer no or to not have answers to all of the questions, particularly in the first information-gathering cycle.
 - f. Subsequent four-year cycles will look for improvements in AMPs, implementation over time, maintenance of the program, and management training.
- II. Information to be Included in a Report
 - a. Basic Information about the utility
 - i. Legal name of the utility
 - ii. Mailing address
 - iii. Physical address
 - iv. Main phone number
 - v. Website (if available)
 - vi. General email address (if available)
 - vii. Contacts
 1. Names, phone numbers, and email addresses of, at least, two people in charge of utility and its management
 - viii. Utility industry (water, wastewater, or combined)

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- ix. Utility type (public utility, municipally owned utility, not-for-profit utility, cooperatively owned corporation, conservancy district, or regional water district)
 - x. Number of customers
 - xi. Year the utility began operations
 - xii. Current ownership (as applicable for investor-owned or privately-owned public utility or not-for-profit utility)
 - xiii. Registration with the Indiana Secretary of State (as applicable for investor-owned or privately owned public utility or not-for-profit utility)
- b. Initial Information regarding Asset Management
- i. Has system been mapped and level of map detail
 - ii. Is there a written inventory of utility assets and level of detail
 - iii. Are there infrastructure inspections and review of criticality status, repair, and maintenance program, with cost estimates for these activities
 - iv. Are there water and energy conservation efforts and, if so, describe.
 - v. Has there been an analysis of customer rates necessary to support the AMP
 - vi. Has a cybersecurity assessment been performed and, if so, how frequently
- c. Information on Managerial Capabilities
- i. Property documentation
 - ii. Operator certifications and licenses
 - iii. Summary overview and description of system
 - iv. Operating plan
 - v. Written procedures
 - vi. External contact information
 - vii. Internal contracting and purchasing procedures
- d. Information on Financial Capabilities
- i. Historical financial statements
 - ii. Financial budget
 - iii. Rates and charges time passed since last review
 - iv. When was the last financial audit performed (if required by state law or lender)
 - v. Other items
- e. Information on Legal Capabilities
- i. In-house or outside counsel
 - ii. Statute or ordinance under which the utility was organized
 - iii. The status of any federal consent decree or other federal order to which the utility is subject
 - iv. The status of any State of Indiana agency agreed order, enforcement order, or other state order to which the utility is subject
- f. Written verification of answers and information provided in report by person with authority to bind the utility (such as a utility executive or board)

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- i. Agree to statement that the answers and information provided in report questionnaire are true and accurate to the best of the utility’s information, knowledge, and belief.
 - ii. Certify that the utility has the technical, managerial, legal, and financial capabilities to operate and maintain the utility’s system.

- III. Procedures for Submitting a Report
 - a. All utility reports will be submitted as a questionnaire accessed through the IURC website.
 - b. Water utilities will report in the first two years of each four-year cycle with utilities with legal names beginning with A-L reporting by July 1 in the first year and M-Z reporting by July 1 in the second year.
 - c. Wastewater utilities will report in the third and fourth years of each four-year cycle with utilities with legal names beginning with A-L reporting by July 1 in the third year and M-Z reporting by July 1 in the fourth year.
 - d. Utilities that provide both water and wastewater services shall report each separately according to (b) above for its water services and (c) above for its wastewater services.

- IV. Criteria to be Used by Commission staff
 - a. Deficiencies will be determined annually for each reporting year in a four-year cycle and utilities will be notified of the deficiency prior to the end of the calendar year in which they submitted their report.
 - b. Failure to submit a report within a four-year cycle as described in this GAO shall be deemed a deficiency. The only deficiency in the first four-year cycle (2026-2029) will be for failure to submit a report in the schedule provided above.
 - c. Every utility is required to have a system map and an asset inventory by the report filed in the second four-year cycle (2030-2033). If a utility does not have a system map or asset inventory, the utility will be determined to be deficient.
 - d. If a utility does not sign the verification to certify it has the technical, managerial, legal, and financial capabilities to operate and maintain the utility’s system in the report filed in the second four-year cycle (2030-2033), then the utility will be determined to be deficient.
 - e. Beginning with the second four-year cycle (2030-2033), failure for management to complete training within the prior four years shall be deemed a deficiency.
 - f. Beginning with reports submitted in the second and subsequent four-year cycles, improvements in asset management programs and in implementing the IFA guidelines must be made in each four-year cycle. Failure to demonstrate improvement and implementation regarding an asset management program may result in determinations of deficiencies.

- V. Other Information [keeping this for additions and formatting]