FILED December 27, 2012 INDIANA UTILITY REGULATORY COMMISSION

STATE OF INDIANA

INDIANA UTILITY REGULA	ATORY COMMISSION
IN THE MATTER OF THE PETITION OF WE DEVELOPMENT LLC FOR A NEW SCHEDUI RATES AND CHARGES	,
SUPPLEMENTAL FILING	OF ATTACHMENTS
TO 12-26-12 RE	PORT OF
THE INDIANA OFFICE OF UTILIT	Y CONSUMER COUNSELOR
December 27	7, 2012
	Respectfully submitted,
	/s/ Karol H. Krohn Karol H. Krohn, Atty. No. 5566-82 Deputy Consumer Counselor

Comparison of Petitioner's and OUCC's Revenue Requirements

	Per Petitioner		Per OUCC		Sch Ref	OUCC ore (Less)
Original Cost Rate Base Times: Weighted Cost of Capital	\$	- 0.0000%	\$	- 0.0000%		\$ 0.000 <u>0%</u>
Net Operating Income Required for Return on Rate base		-		-	_	-
Less: Adjusted Net Operating income Net Revenue Requirement		(3,325) 3,325		(3,546) 3,546	3	(221) 221
Gross Revenue Conversion Factor Recommended Revenue Increase	\$	11.12084% 3,695	\$	01.41988% 3,597	1	\$ -9.7010% (98)
Recommended Percentage Increase		289.28%		281.68%		 -7.60%

Gross Revenue Conversion Factor

		Per Petitioner	Per OUCC	
1 2	Gross Revenue Change Less: Bad Debt Rate	100.0000% 0.0000%	100.0000% 0.0000%	\$ 3,597 -
3	Sub-total Less: IURC Fee	100.0000% 0.1178510%	100.0000% 0.000000000%	-
5	Income Before State Income taxes	99.8821490%	100.0000000%	
6 7	Less: State Income Tax (8.5% of Line 5) Utility Receipts Tax (1.4% of Line 3)	8.48997850% 1.40000000%	0.00000000% 1.40000000%	- 50
8	Income Before Federal income Taxes	89.9921215%	98.60000000%	
9	Less: Federal Income Tax (15% of Line 8)	0.00000000%	0.00000000%	 -
10	Change in Operating Income	89.99212150%	98.60000000%	 3,547
11	Gross Revenue Conversion Factor	111.1208385%	101,4198783%	

Reconciliation of Net Operating Income Statement Adjustments *Pro-forma Present Rates**

	Per Petitioner		Per OUCC		OUCC More (Le	
Operating Revenues	\$	-	\$	-	\$	-
Operations and Maintenance expense						
Power		566		-		(566)
Insurance		(339)		23		362
Rate Case		-		20		20
Contract Services		-		. 300		300
Postage		-		16		16
Property Tax		-		89		89
Utility Receipts		4		4		-
Total Operating Expenses		231		452		221
Net Income	\$	(231)	\$	(452)	\$	(221)

COMPARATIVE INCOME STATEMENT Twelve Months Ended

	December 31, 2011		December 31, 2010		
Operating Revenues					
Sewer Revenues	\$	1,277	\$	1,165	
Operations and Maintenance Expense					
Purchased Power		575		772	
Contractual Services - Other		3,457		6,827	
Insurance		339		339	
Total Operating Expenses		4,371		7,938	
Net Income	\$	(3,094)	\$	(6,773)	

Pro-forma Net Operating Income Statement

	. 18	Year Inded 2/31/11	Adiu	stments	Sch Ref	P	o <i>-forma</i> Present Rates	Adi	ustments	Sch Ref	Pr	<i>-Forma</i> oposed Rates
Operating Revenues		//////	Auju	stillents			Kaics	Auj	ustilicitis	- KCI		<u> </u>
Service Revenues - Sewer	`\$	1,277	\$	-		\$	1,277	\$	3,597	1	\$	4,874
Operations and Maintenance		4,371					4,730					4,730
Insurance		,		23	4-1		,					
Rate Casc				20	4-2							
Contract Services				300	4-3							
Postage				16	4-4							
Utilities Receipts Tax				4	pet		4		50	1		54
Property Taxes				89	5-1		89		-			89
Income Taxes:												
State Income Tax		-		_			-		_			-
Federal Income Tax		_		-			_		-			_
Total Operating Expenses		4,371		452			4,823		50			4,873
Net Income	\$	(3,094)	\$	(452)		_\$_	(3,546)	\$	3,547		\$	

CAUSE NUMBER 44244-U			
Expense Adjustments			
(1) <u>Insurance</u> To adjust insurance expense to pro forma.			
Pro forma insurance expense Less: test yr	\$	362 339	
Adjustment Increase (Decrease)			\$ 23
(2) <u>Rate Case Expense</u>			
To adjust rate case expense to pro forma.			
Pro forma rate case expense Amortize: 5 years	\$	100 5	
Adjustment Increase (Decrease)			\$ 20
(3) <u>Contracted Services Expense</u> To adjust contracted services expense to pro forma.			
Pro forma expense for septic maintenance: 4 times per year by SOS Services (\$300 x 4) Less: test year expense	\$	1,200 900	
Adjustment Increase (Decrease)			\$ 300
(4) Postage To adjust postage expense to pro forma.			
Pro forma postage expense			
3 customer bills times 12 months times \$0.45	_\$	16	
Adjustment Increase (Decrease)			\$ 16

Tax Adjustments

(1)
Property Taxes

To adjust property expense to pro forma.

Pro forma property tax expense \$ 89

Less: test year _____

Adjustment Increase (Decrease) \$ 89

Webster Development L.L.C.

Schedule of Rates and Charges

For use of and services rendered by Webster Development L.L.C., the following rates and charges are applicable:

Monthly Charges for Sewer Service

Single Family Dwelling (without meter*) \$34.81
Single Family Dwelling (with meter) \$36.81

Nonrecurring Charges

- Installation of tank and other equipment for septic system will be at cost.

ACCEPTED AS INITIAL FILING
EFFECTIVE
AUG US 2007

Oate
REGULATORY COMMISSION

ISSUED PURSUANT TO

Cause An 42232

^{*}A meter indicates the electrical service from the septic filter does not come from the single-family dwelling.

RECE	DA DA	1E 31	3120	<u>ي</u>	_No.	637	7947
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BCR CPA Group

2920 S. Lafountain St. Kokomo, IN 46902

Phone: 455-1777 FAX: 455-0996

Invoice Date:

September 25, 2012

Invoice Number:

00136166

James L. Webster 308 Espanol Dr. Kokomo, IN 46902-3512

For professional services rendered

Work done in regards to preparing Small Utility Rate Application.

\$100.00

Total

\$100.00

Accounts Receivable Statement As of September 25, 2012

Date	Description	Invoice Number	Invoice Amount	Cash Applied	Amount
9/01/12 9/25/12	Balance Forward Inv.	00136166	100.00		100.00
				Total	\$100.00

A 1.5% finance charge will be charged to all remaining balances after 30 days.

OUCC Attachment 4 Cause No. 44244-U

Detach and return coupon with 1st Installment payment

Printed: 9/27/2012

2012 - Howard County - 1st Installment

Page 1 of 2 Deeded Owner: Webster, Larry

imitalizated for the Acreage: 0.59 Location Address: 5780 E 50 N Delinquent after: May 10, 2012 1st INSTALLMENT - A Kokomo IN 46902 Property Taxes Due: \$13.26 STATE PARCEL NUMBER: 34-04-36-276-008.000-022 Other Charges (See Table 4) \$15.53 Delinquent Tax: \$0.00 *+00034201117559198601* \$0.00 Delinquent Penalty: *+00034201117659196601* **LESS PAYMENTS:** \$28.79 Check here if a change of address is indicated on back of form Pay This Amount For \$0.00 NAME AND ADDRESS OF TAXPAYER 1st Installment Webster, Larry 308 Espanol Dr Remit By Mail To: HOWARD COUNTY TREASURER MARTHA J LAKE Kokomo IN 46902 220 N MAIN ST. RM 226 **KOKOMO IN 46901** 0000342011175591986001000000000000 Detach and return coupon with 2nd Installment payment Deeded Owner: Webster, Larry 2012 - Howard County - 2nd Installment Printed: 9/27/2012 Indiana Law (IC 6-1.1-37-10) Requires the Tress Acreage: 0.59 Location Address: 5780 E 50 N Delinquent after: November 13, 2012 Kokomo IN 46902 2nd INSTALLMENT - R \$0.00 Property Taxes Due: \$15.53 Other Charges (See Table 4) STATE PARCEL NUMBER: 34-04-36-276-008,000-022 Delinquent Tax: \$0.00 *+00034201117559198602* \$0.00 Delinquent Penalty: **LESS PAYMENTS:** \$15.53 *+00034201117559198602* Check here if a change of address is indicated on back of form Pay This Amount for \$0.00 NAME AND ADDRESS OF TAXPAYER 2nd Installment Webster, Larry Remit By Mail To: HOWARD COUNTY TREASURER 308 Espanol Dr MARTHA J LAKE Kakomo IN 46902 220 N MAIN ST. RM 226 KOKOMO IN 46901 0000342011175591486002000000000000 LEGAL DESCRIPTION; SONESTA BAY S/D LOT 2 NOTICE: THIS TAX BILL IS THE ONLY NOTICE YOU WILL RECEIVE FOR PAYMENT OF BOTH INS PROPERTY TAX TAXPAYER NAME: Webster, Larry PROPERTY NUMBER 34-04-36-276-008.000-022 The validity of the tax - The time at which the tax is payable or any subsequent proceeding instituted for the collection of the tax is not affected by the failure of a person to If any circumstances have changed that would make you ineligible for a deduction that you have been allowed in the exemption block in Table 5 on the TS-1, you must notify the county auditor. If such a change in circumstances has occurred and you have not notified the county auditor, the deduction will be disallowed and you will be liable for taxes and penalties on the amount deducted. You must have sufficient funds in your checking account at the time we present your check to the bank or your tax payment is void. For Questions Concerning Tax Amounts, Please call the County Treasurer's office at (765)456-2213 Mailed payments must have a Postal Service postmark on or before the due date printed on the front of the statement. The payment envelope must be properly addressed and must have sufficient postage. Treasurer's Office is open 8 to 4, Monday thru Friday. Drop Box located in lobby available 24 hours. Local Banks accepting payments: Community First, First Farmers, BMO Harris, Key Bank, Star and PNC

payment coupon. To ensure prompt posting of your tax payment, please detach and return the payment coupon with your check.

Thank you for your cooperation

Credit Card Payments: in person or online www.co.howard.in.us both have convenience fees
To notify this office of any ADDRESS CHANGE, check the box on the front of the payment coupon and complete and sign the form, which appears on the reverse side of the

OUCC Attachment 4 Cause No. 44244-U

Datach and return coupon with 1st Installment payment Printed: 9/27/2012

2012 - Howard County - 1st Installment

Page 2 of 2 Deeded Owner: Webster, Larry

Delinquent after: May 10, 2012 1st INSTALLMENT - A st INSTALLMENT - B st INSTALLMENT	or of the purpoid to a first	(4) Bequator the Transport to add a late payment possity to the starts Based is complessly paid on or before 30 days after the de- month. Others the passity will be in the amount of 19% of the			
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NAME AND ADDRESS OF TAXPAYER Webster, Larry 308 Espanol Dr Kokomo IN 46902 Remit By Mail To: HOWARD COUNTY TREASURER MARTHA J LAKE 220 N MAIN ST. RM 226 KOKOMO IN 46901 DDDD34201100660741650200000000000000000000000000000000000	*+00034201100660741652*	Check here if a charge of orderes is indicated as back of form			
Webster, Larry 308 Espanol Dr Kokomo IN 46902 Remit By Mail To: HOWARD COUNTY TREASURER MARTHA J LAKE 220 N MAIN ST. RM 226 KOKOMO IN 46901 DDDD342011006607416502000000000000000 LEGAL DESCRIPTION: SONESTA BAY SOLOT 3 NOTICE: THIS TAX BILL IS THE DNLY NOTICE YOU WILL RECEIVE FOR PAYMENT OF BOTH INSTALLMENTS OF YOUR PROPERTY TAX.					\$0.00
308 Espanol Dr Kokomo IN 46902 Remit By Mail To: HOWARD COUNTY TREASURER MARTHA J LAKE 220 N MAIN ST. RM 226 КОКОМО IN 46901 ВВВ В В В В В В В В В В В В В В В В В		Webster, Larry		2nd installment	,
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PROPERTY TAXL	LEGAL DESCRIPTION	SONESTA BAY S/D LOT 3			
	NOTICE; THIS				ALLMENTS OF YOUR
	TAVDAVED MARC.		in Clar		LAA_36_276_00B 000_022

The validity of the tax - The time at which the tax is payable or any subsequent proceeding instituted for the collection of the tax is not affected by the failure of a person to receive his tax bill.

If any eircumstances have changed that would make you ineligible for a deduction that you have been allowed in the exemption block in Table 5 on the TS-1, you must notify the county auditor. If such a change in circumstances has occurred and you have not notified the county auditor, the deduction will be disallowed and you will be liable for taxes and penalties on the amount deducted.

You must have sufficient funds in your checking account at the time we present your check to the bank or your tax payment is void.

For Questions Concerning Tax Amounts, Please eall the County Treasurer's office at (765)456-2213

Mailed payments must have a Postal Service postnark on or before the due date printed on the front of the statement. The payment envelope must be properly addressed and must have sufficient postage. Treasurer's Office is open 8 to 4, Monday thru Friday.

Drop Box located in lobby available 24 hours.

Local Banks accepting payments: Community First, First Farmers, BMO Harris, Key Bank, Star and PNC

Credit Card Payments: in person or online www.eo,howard.in.us both have convenience fees fo notify this office of any ADDRESS CHANGE, check the box on the front of the payment coupon and complete and sign the form, which appears on the reverse side of the payment coupon. To ensure prompt posting of your tax payment, please detach and return the payment coupon with your cheek.

Thank you for your ecoperation

(Formerly: Acts 1969, c.360, s.2; Acts 1975, P.L.77, SEC.2.) As amended by Acts 1977, P.L.101, SEC.2; Acts 1982, P.L.74, SEC.3; P.L.23-1988, SEC.38: P.L.1-2010, SEC.42.

IC 8-1-6-3

"Public utility" and "gross revenue" defined

Sec. 3. The term "public utility", as used in this chapter, shall mean and embrace every corporation, company, cooperative organization of any kind, individual, association of individuals, their lessees, trustees, or receivers appointed by any court whatsoever that on or after March 15, 1969, may own, operate, manage, or control any plant or equipment within the state for the conveyance of telegraph or telephone messages, or for the production, transmission, delivery, or furnishing of heat, light, water, or power, or for the collection, treatment, purification, and disposal in a sanitary manner of liquid and solid waste, sewage, night soil, and industrial waste, for service directly or indirectly to the public, but said term shall not include a municipality that may after March 14, 1969, acquire, own, or operate any of the foregoing facilities.

The term "gross revenue", as used in this chapter, shall include all intrastate operating revenue received by a public utility for the conveyance of telegraph or telephone messages or for the production, transmission, delivery, or furnishing of heat, light, water, or power, or for the collection, treatment, purification, or disposal in any sanitary manner of liquid or solid waste, sewage, night soil, and industrial waste for service directly or indirectly to the public. Provided, however, that such term shall not include revenue derived by a public utility in the sale of public utility services, products, or commodities to another public or municipal utility for resale by the latter.

(Formerly: Acts 1969, c.360, s.3.) As amended by P.L.59-1984, SEC.53.

IC 8-1-6-4

Imposition

Sec. 4. A public utility fee is imposed upon each public utility

subject to the provisions of this chapter equal to .0015 of its gross revenue for the preceding calendar year. The commission may not bill or collect a public utility fee that is fifty dollars (\$50) or less under this calculation.

(Formerly: Acts 1969, c.360, s.4.) As amended by Acts 1977, P.L.101, SEC.3; P.L.159-1999, SEC.19.

IC 8-1-6-5

Report of annual gross revenue

Sec. 5. On or before May 1 of each year, public utilities subject to the provisions of this chapter shall file with the commission a report of their annual gross revenue for the preceding calendar year and a statement of the amount of public utility fee due on the basis of said report. Forms for said report or returns shall be devised and supplied by the commission.

(Formerly: Acts 1969, c.360, s.5.) As amended by Acts 1979, P.L.84, SEC.5.

IC 8-1-6-6

Audit of returns

Sec. 6. All returns submitted to the commission by a public utility as provided by this chapter shall be sworn to by an appropriate officer of the public utility. The commission may audit each such return submitted and may take such measures as are necessary to ascertain the correctness of the returns submitted. The commission is hereby vested with the power to direct the filing of any return required by this chapter.

(Formerly: Acts 1969, c.360, s.6.) As amended by P.L.59-1984, SEC.54.

IC 8-1-6-7

Quarterly payment

RECEIVED

SEP 2 7 2012

September 24, 2012

INDIANA UTILITY REGULATORY COMMISSION

Secretary of the Indiana **Utility Regulatory Commission**

Dear Secretary:

This letter represents a request from the customers of Webster Development LLC to hold a public hearing per the application filed pursuant to Indiana Code 8-1-2-61-5 by Webster Development LLC.

These signatures represent one hundred percent of the customers affected by the application to increase said utility rate.

Thank you for your consideration to this request for a private hearing.

1.	Name: Jones a. Long Address: 534 BAY Shore BR. Kokomo, IN. 46901 Name: Viakia. 4.0
	Address: 534 Bay Shore De Kokomo Up 4000
	Address. 526 Bryshose Dr. Kokomo The 46901
4.	Address: 524 Bougshore Dr. Kokomo IN 46901
••	Address: 546 Bayshore Dr. Kokomo IN, 869 01
6.	Name: Sender & Mence Address: 546 Bayshore M. Kolomo Jud 46 Car

Webster Development LLC

TOT BRIDE

October 5, 2012

Anthony Swinger
External Affairs Director
Indiana Office of Utility Consumer Counselor

Case # 44244-U

Dear Mr. Swinger:

Thank you for your response to our letter to the IURC.

I would like to explain our concerns about the requested increase on our septic rates by Webster Development LLC.

In 2002, my wife and I were the first homeowners to hook up to this system. We had to pay \$16,000 to Webster Development LLC to begin service plus pay to have our own septic tank installed. We have paid \$36.81 per month ever since initial fees. The developer told us that the ten lots that were scheduled to be on this system would re-coop his investment.

As you can see this has been very costly for us to be on this system. We were not given an option on any other kind of septic system. It is our opinion that our current monthly rate is more than adequate for sewage cost. An attempt to raise our rates by 289% per month is ludicrous. It is obvious to the three homeowners, that are on this system, that the developer is wanting us to pay for his inability to sell the remaining seven lots.

This system has been a complete failure from the very beginning and continues to malfunction. We have had sewage back up in our home, on several occasions, over the years. The drainage pipe that runs under the road to the leach field had to be dug up and be replaced with larger pipe a few years ago. I have had Brook Milburn of the Howard County Health Department and David Ortel of the State Health Department out to discuss this problem and make them aware of the situation. Shanon Orick, of SOS Services, currently services this system. He told me that it is not a matter of if, but when, will this system totally and completely fail. At that time the homeowners will be burdened with the cost of a new system.

OUCC Attachment 6 Cause No. 44244-U Page 3 of 5

If this increase would be approved it would devastate the property values of our homes. It would leave us, the homeowners, with no alternative but to pursue legal counsel.

Again, thank you for allowing us to share our concerns. We ask that you would take these concerns into consideration and stop the increase to our septic rates.

Sincerely,

Tony and Vickie Long 534 Bay Shore Drive Kokomo, Indiana 46901

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October 8, 2012

Anthony Swinger External Affairs Director Indiana Office of Utility Consumer Counselor

Case #44244-U

Dear Mr. Swinger:

Thank you for your response to our letter to the IURC. I would like to express my concerns about the requested increase on our septic rates by Webster Development LLC.

My wife and I built our home in Sonesta Bay Subdivision in 2003. We were informed by Mr. Webster that he could supply us with a septic dedicated to this subdivision only. After some research we found that this was our only choice, so we agreed.

The cost to get this service started was almost \$18,000.00. Then a rate per month of \$34.81 was established. We also had to provide the funds for the phone line and electric service to support this system. This was a very costly expense and added to the cost of our new home. We needed a system and we had no other option available.

We believe that any increase of these rates would also add to the cost of any potential new home owners in our subdivision to a point where the now difficult market would be made even worse. We also feel that our investment in our home value, which appraises at 40% less than we invested in 2003, would further deteriorate as a result of these increasing rates. We believe these rates are far above any normal monthly septic cost.

OUCC Attachment 6 Cause No. 44244-U Page 5 of 5

We feel that Mr. Webster is attempting to recover cost that were anticipated if all lots would have sold and been added to this system. Our investments have suffered enough and we don't feel responsible for this added burden he is trying to inflict on us. We also feel that this unfair rate increase must be denied! We need to allow the economy to bring us all back to where we should be and not put hardships on each other to recover individual anticipated levels.

Respectfully,

Richard and Sandra Mince 546 Bay Shore Drive Kokomo, Indiana 46901 or P.O. Box 2931 Kokomo, Indiana 46904

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing SUPPLEMENTAL FILING OF ATTACHMENTS TO 12-26-12 REPORT OF THE INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR has been served upon the following by electronic service on December 27, 2012.

Larry Webster
WEBSTER DEVELOPMENT LLC
308 Espanol Drive
Kokomo, IN 46902
jacksonstation83@yahoo.com

/s/ Karol H. Krohn

Karol H. Krohn, Atty. No. 5566-82 Deputy Consumer Counselor

INDIANA OFFICE OF UTILITY CONSUMER COUNSELOR

115 West Washington Street Suite 1500 South Indianapolis, IN 46204 infomgt@oucc.in.gov 317/232-2494 – Telephone 317/232-5923 – Facsimile