

21-20

**SPONSOR: Dan Spitale
Councilman at Large**

ORDINANCE NO. 9509

**An Ordinance Amending the Wholesale Rates Charged for Water Services to
Indiana Customer Communities**

WHEREAS, the City of Hammond, Indiana (“City”) operates a municipal water utility through its Hammond Water Works Department (“HWWD”) for the purposes of treating and distributing water to the City and its residents; and

WHEREAS, the HWWD contracts and sells water to Indiana Municipalities including the Cities of Hammond and Whiting and the Towns of Munster, Highland, Griffith and Dyer (“Indiana Customer Communities”), all of which provide water to their own set of customers; and

WHEREAS, the last wholesale rate for Indiana Customers was governed by contract and approved by the Indiana Utility Regulatory Commission in 1985;

WHEREAS, the cost associated with producing water and furnishing it to the Indiana Customer Communities has increased substantially since the 1985 Order of the Indiana Utility Regulatory Commission; and

WHEREAS, as a result of increased cost and service, the HWWD has found it necessary to increase wholesale water rates to Indiana Customer Communities and has recommended, through Resolution 2021-1, the rates set forth in Exhibit A, attached hereto; and

WHEREAS, HWWD and the City have, in principle, resolved litigation with the Indiana Customer Communities by negotiating an agreeable wholesale rate schedule approved only for those communities and as provided for in Exhibit A, attached hereto (“Wholesale Rate Schedule”); and

WHEREAS, this Wholesale Rate Schedule for Indiana Customer Communities is established separate and apart from the rates passed previously in Ordinance 9486 (“Retail Rates”).

WHEREAS, the Council has reviewed the HWWD Resolution 2021-1 and finds that the Wholesale Rate Schedule requested by the HWWD Board of Directors is warranted; and

WHEREAS, based upon the HWWD’s Board of Directors’ Resolution No. 21-01 and in accordance with the settlement reached with the Indiana Customer Communities, the Council finds it necessary to establish a Wholesale Rate Schedule for the Hammond Water Works Department’s Indiana Customer Communities as set forth on Exhibit A, and finds that such

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wholesale rates are non-discriminatory, reasonable, and just charges for services within the meaning of I.C. § 8-1.5-3-8.

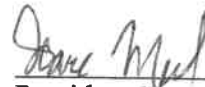
THEREFORE, BE IT ORDAINED by the Common Council of the City of Hammond, Indiana that the Wholesale Rate Schedule set forth in Exhibit A is hereby adopted as and for the rates charged to the Indiana Customer Communities.

BE IT FURTHER ORDAINED by the Hammond Common Council that this Ordinance shall be in full force and effect from January 1, 2021, after its passage by the Common Council, signed by the President thereof, and approval by the Mayor.

BE IT FURTHER ORDAINED that pursuant to Indiana Code § 8-1.5-3-8.1, a public hearing on proposed rates and charges was held on June 14, 2021 at the Hammond Common Council Chambers, 5925 Calumet Ave., Hammond, IN 46320 and notice pursuant to statute was provided.

BE IT FURTHER ORDAINED by the Hammond Common Council that if any part, parts, section, sections, provision, clause or portions of this ordinance shall be adjudged invalid or unconstitutional, such invalidity or constitutionality shall not affect the validity or constitutionality of this ordinance as a whole or of any other part, parts, section, sections, provision or clause or portion of this ordinance.

ADOPTED AND APPROVED BY the Common Council of the City of Hammond, Indiana this 14th day of June, 2021.



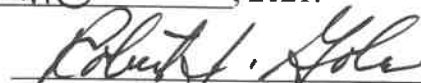
President Dave Woerpel
Hammond Common Council

ATTEST:



Robert J. Golec, City Clerk
City of Hammond, Indiana

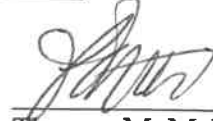
PRESENTED by me, the undersigned City Clerk of the City of Hammond, Indiana to the Mayor, for approval and signature, this 15th day of June, 2021.



Robert J. Golec, City Clerk
City of Hammond, Indiana

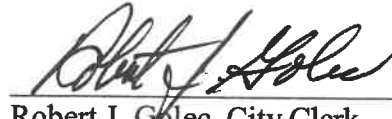
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The foregoing Ordinance No. 9509 consisting of four (4) typewritten pages, including this page, was APPROVED AND SIGNED BY ME, the undersigned Mayor of the City of Hammond, Indiana this 15th day of June, 2021.



Thomas M. McDermott, Jr. Mayor
City of Hammond, Indiana

PASSED by the Common Council of the 14th day of June, 2021
and APPROVED by the Mayor of the 15th day of June, 2021.



Robert J. Golec, City Clerk
City of Hammond, Indiana

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**EXHIBIT A
Price per Thousand Gallons
Wholesale Rate Schedule for
INDIANA CUSTOMER COMMUNITIES**

2021	\$.95
2022	\$1.05
2023	\$1.10
2024	\$1.15
2025	\$1.25
2026	\$1.35
2027	\$1.45
2028	\$1.55
2029	\$1.60
2030	\$1.60