



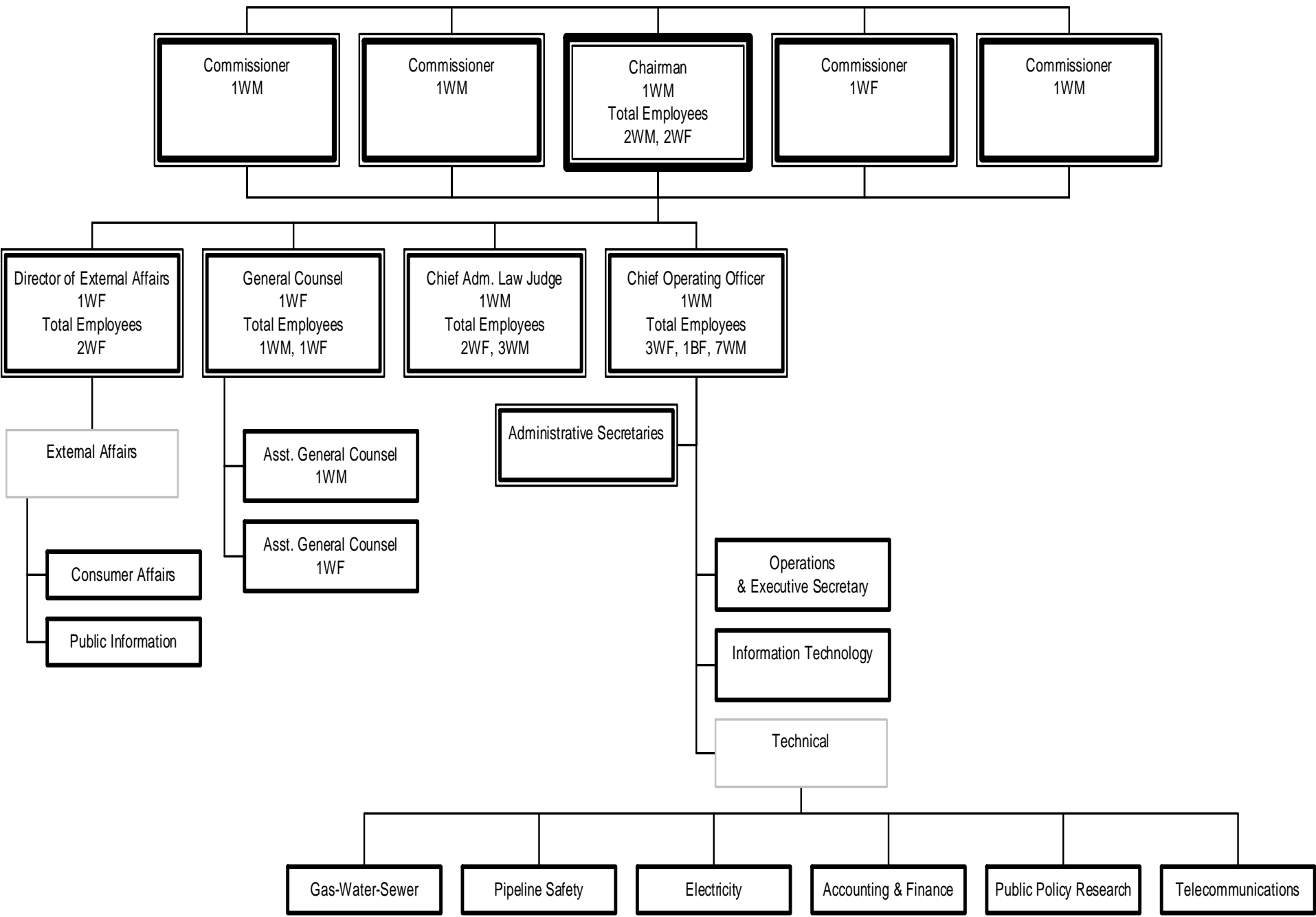
Indiana Utility Regulatory Commission

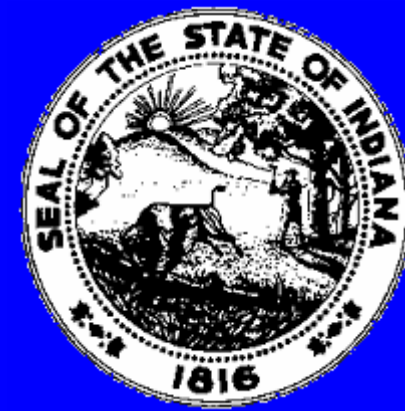
Organizational Structure of the Indiana Commission:

“Maximizing Limited Resources”

Joseph Sutherland
Chief Operating Officer
October 17, 2005

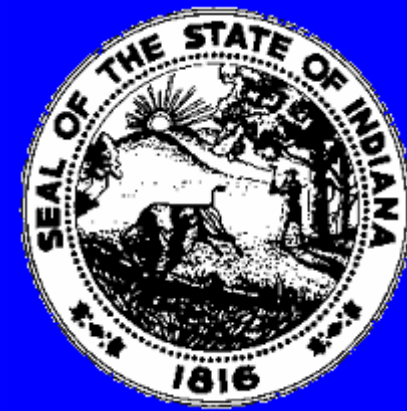
INDIANA UTILITY REGULATORY COMMISSION





Operational Efficiency

- Strong leadership starts at the top
 - Who is in charge?
 - The Chairman should try to limit the number of staff who report directly to them.
 - Development of a strong top and middle management team is crucial to success.
 - Productivity depends on getting the right people in the right positions.
 - Effective delegation of responsibilities.
 - The work environment needs to give staff an opportunity to succeed.
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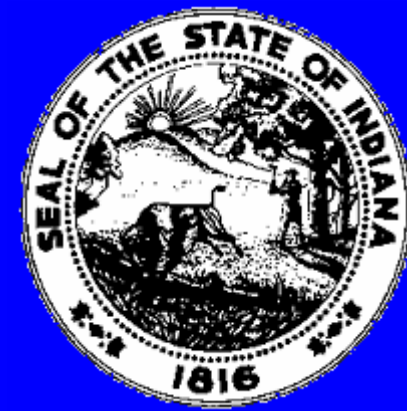
Operational Efficiency

- **Mission Statement**
 - The Commission should develop a clear and concise statement that defines its purpose.
 - Commission management should keep this purpose in mind during all activities.
 - **Structure of Commission**
 - Each staff division should have a specific focus.
 - Divisions should identify an adequate staffing level and define the individual skills needed to accomplish tasks and responsibilities.
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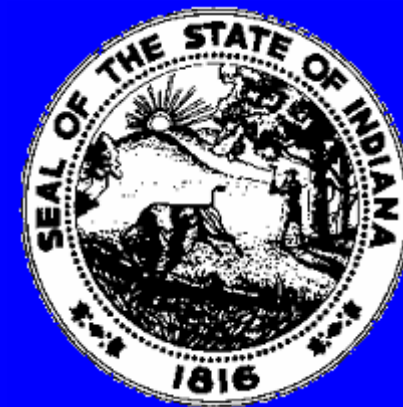
Operational Efficiency

- Staff Training
 - Many times it is difficult to hire individuals who have all the necessary skills needed.
 - A comprehensive staff development program can assist the Commission to increase the strength of all staff.
 - Each position should have a specific job description.
 - Expectations should be clearly defined.
 - Periodic staff reviews to provide performance feedback can be a useful tool.



Operational Efficiency

- Internal Communications
 - Critical for managers to be accessible and engaged in the work of their staff.
 - Need to development a standard way for staff to communicate their findings to decision makers.
 - Case Reports.
 - Decision makers should development a process to set short term achievable priorities.



Ethical Conduct



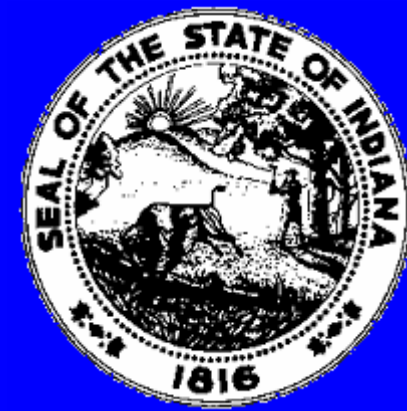
Ethical Considerations

- Public Office Is a Public Trust
- Citizens Are Entitled to the Integrity of Their Government and Officials
- Government Business Should be Conducted in a Manner Which Reassures Citizens That the Character and Conduct of Officials and Employees Are Above Reproach



How Is This Accomplished?

- Employees Must Carry Out Duties Impartially
- Decisions and Policies Should be Developed Through Proper Channels of Government
- Public Office Should Not be Used by Employees For Private Gain
- Employees Should Avoid Actions, Transactions, or Associations Which Could Create a Conflict of Interest



Indiana State Ethics Commission

- Training For State Employees in the Executive and Administrative Branches of State Government on State Ethics Laws and Code of Conduct
- Investigation and Enforcement When Violations Occur
- Advisory Opinions -- Prevent Violations Before They Occur

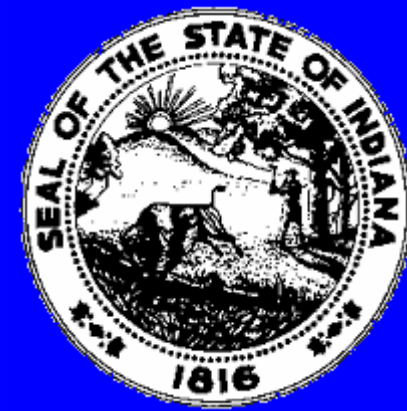


State Ethics Rules

- Gifts, Favors, Entertainment, Food & Drink
 - Fees For Public Speaking Engagements
 - Political Activity
 - Moonlighting With Other Employment
 - Conflicts of Interest
 - Confidential Information
 - Personal Use of State Property and Time
 - Post-Employment Restrictions
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Transparent Decision Making



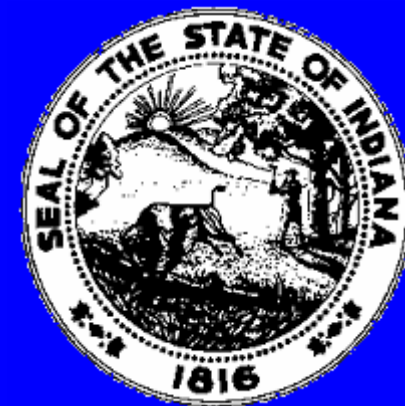
Ex Parte Communications

- The Latin Phrase *Ex Parte* means:
“on one side only; by or for one party”
- Ex Parte Communications Involve an Interested Party and a Decision-Maker Without the Presence or Input of Other Interested Parties



Ex Parte and the IURC

- Indiana Law Limits Communication Between IURC Employees and External Parties
 - IURC staff who are assigned as decision makers in a specific docketed proceeding may not have ex parte communication with interested parties.
 - This includes other units of government.
 - Communication is permitted if notice is given to other parties and all parties have an equal opportunity to participate in the communication.



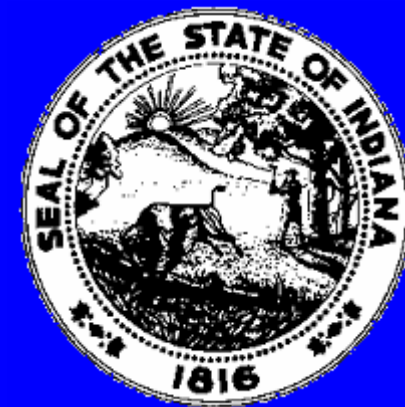
Why Is Ex Parte Prohibited?

- The American Legal System Gives Every Person An Equal Opportunity to be Heard by an Impartial Judge.
- IURC Commissioners and Administrative Law Judges are Considered “Judges”, and are Assisted by IURC Staff.
- Deciding a Case on the Merits of Only One Party’s Argument is Inappropriate and Fundamentally Unjust.



Fairness

- By Hearing Both Sides of a Case On the Record, The IURC Guarantees That Every Party Receives a Fair and Equal Opportunity to Be Heard in Front of the Commission and the Opposing Party or Parties.



Who is Affected?

- Ex Parte Communications Are Prohibited For All Commissioners, Administrative Law Judges, and IURC Advisory Staff.
- These Individuals Are Decision-Makers in Formally Docketed Cases Pending Before the IURC



If It Feels Wrong, It Probably Is . . .

- General Guideline For Ethics Concerns
- Would the Anticipated Action Give the Appearance of Impropriety?
- Would the Anticipated Action Draw Public Scrutiny?
- Ask Counsel and Fellow Commissioners For Guidance



Commission Standard Procedures



IURC Workflow

Petition Filed



Assigned to Staff



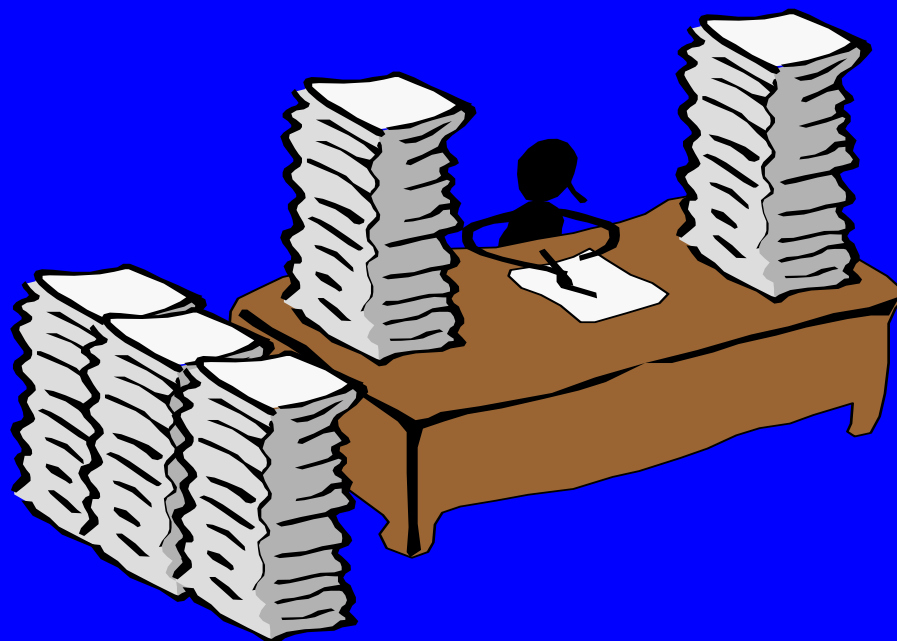
Hearings Held



Information Reviewed



Order Issued





IURC Goals to Improve Efficiencies...

- **Minimize Paper Submission**
- **Distribute Documents Electronically**
- **Provide Case Information to Constituents On-line**

