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HEADLINE: Customers' request denied;
Ratepayers want water settlement to be reconsidered

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BODY:

A Marion Superior Court judge has denied a request from two Lawrence water utility ratepayers to reconsider approval of a settlement between the city and a private company that formerly operated its waterworks.

"I'm sorry," said F. Ronalds Walker, an attorney who is representing the ratepayers. "I've talked to my clients and they want to continue to try to improve the deal the ratepayers are getting. We're currently working on how we would do that."

Dr. G. Matthew Vail and Donald Tidwell, who say they represent other Lawrence ratepayers, claim the settlement is incomplete, and that Superior Court Judge David Dreyer was misled.

"My clients believe that the city's deal with Lawrence Utilities was not in the ratepayers or taxpayers best interest," Walker said when his motion for reconsideration was filed.

Dreyer approved the settlement between the Lawrence government and the privately run Lawrence Utilities in late October.

Under the agreement, the city is operating its own water and sewer services instead of Lawrence Utilities, which had run the utilities for several years.

Walker said Friday that there are still pending motions in Dreyer's court that are part of the case.

He also said that ratepayers are considering appealing Dreyer's decision to the Indiana Court of Appeals.

James J. Ammeen, Jr., who is representing the city in connection with the Lawrence Utilities litigation, said he views Dreyer's decision as positive.

"The city is confident that any appeal that Vail might consider taking now will result in the final judgment and order approving (the) settlement agreement being affirmed," Ammeen wrote in an e-mail. "The order confirms the result achieved, too,

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in the court of politics, where the settlement agreement was approved and affirmed unanimously by the common council of Lawrence."

Call Star reporter Cathy Kightlinger at (317) 444-5534.

The settlement agreement

Marion Superior Judge David J. Dreyer this week denied a motion from two Lawrence ratepayers to reconsider his approval of an agreement that settled litigation between Lawrence Utilities LLC and the city of Lawrence.

Under the agreement:

The city pays people and businesses associated with Lawrence Utilities -- the private company that formerly operated the city's water and sewer utilities -- \$3.3 million.

Lawrence Utilities transfers machinery, equipment and vehicles associated with its operation of the city's sewer and water utility to the Lawrence Utility service Board, which is currently overseeing the utilities.

The city assumes Lawrence Utilities' debt.

Lawrence Utilities employees are transferred to Lawrence's Utility Service Board.

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