

Erin C. Borissov
eborissov@parrlaw.com

September 18, 2024

Via Electronic and Certified Mail

Matthew Land
matt@wtb-lawyers.com
Waldron/Tate/Bowen/Land
Inland Building
156 E. Market St., 5th Floor
Indianapolis, IN 46204

RE: Response to August 6, 2024 (rec'd Aug. 22 via email only) Letter on behalf of Jeff Springmeyer, Jay Hatton, Adam Smith, Larry and Tammy Sidell, Dan Cathey

Dear Mr. Land:

The Decatur County REMC Board of Directors has requested me to respond to your August 6, 2024 Letter on behalf of Jeff Springmeyer, Jay Hatton, Adam Smith, Larry and Tammy Sidell, Dan Cathey ("Complaining Members").

Misrepresentations regarding date and method of delivery and recipients

At the outset, I would note that Decatur County REMC did NOT receive the above referenced letter via certified mail and did not receive the letter at all until August 22, 2024 when it was sent via email. Furthermore, the letter represents that Electronic Copies were being provided to Erin Borissov, Don Wickens, Robert Wickens, Chris Tebbe, and Curtis Johnson. I did NOT receive this letter via email or at all until Decatur County REMC sent it to me. These misrepresentations are egregious. In the future, we expect that you will not represent that a letter has been delivered on a specific date, in a specific manner, and to specific recipients unless they are true and accurate statements.

Response

The Decatur County REMC Board of Directors and management team have received and reviewed letters or complaints from Complaining Members dated May 13, 2024 (rec'd via First Class Mail May 14, 2024) and August 6, 2024 (rec'd August 22, 2024 via email only). By these letters, the Board understands that Complaining Members disagree with both the substantive provisions and certain case-by-case applications of DCREMC's Rule 25 Extension of

Distribution of Service Lines, Rule 26 Member Modifications Request: Liability of Cost, and Policy 2-01: Area Cover and Line Extensions.

The Board and management team have reviewed and considered these complaints relating to line extensions and member contributions in aid of construction and has previously responded as follows:

- The management team met one-on-one with the Complaining Members who requested a meeting to discuss their specific complaints.
- DCREMC responded in writing to Complaining Members on May 30, 2024.
- Board discussed Complaining Member, Dan Cathey's specific complaints during a The June 10, 2024 special board meeting and responded in writing to Dan Cathey on June 24, 2024.
- To the extent the letters request copies of DCREMC Services Rules and Regulations or Policies, all DCREMC Service Rules and Regulations and Policies can be accessed (and have been accessible for several years) online at the following link:

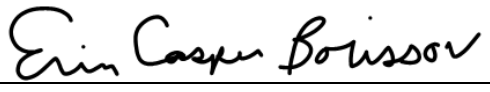
<https://www.dcremc.com/about-us/company-documents/>

The Board of Directors is elected by DCREMC members to serve as the governing body of the cooperative and to do all things necessary in conducting the business of the cooperative. Among other things, the Board has authority to approve Rates and Charges, Service Rules and Regulations, and Policies of the cooperative. In performing its governing function, the Board is cognizant of its statutory mandate that rates and charges must be nondiscriminatory, reasonable, and just. In performing its governing function, the Board periodically reviews the Service Rules and Regulations and Policies, engages expert consultants to perform cost-of-service studies, and stays apprised of industry standards and trends to ensure that DCREMC's Service Rules and Regulations and Policies serve the interest of all DCREMC members and are nondiscriminatory, reasonable, and just. Any member that does not believe DCREMC's Service Rules and Regulations and Policies are nondiscriminatory, reasonable, and just may challenge such rates and charges in civil court.

The Board understands and acknowledges that Complaining Members disagree with the substantive provisions and certain case-by-case applications of DCREMC's Rule 25 Extension of Distribution of Service Lines, Rule 26 Member Modifications Request: Liability of Cost, and Policy 2-01: Area Cover and Line Extensions. As stated in its communications dated May 30 and June 24, the Board disagrees with Complaining Members on all points. The Board stands by its Service Rules and Regulations and Policies, and the Board will not spend any more of its time or the members' money to respond to the same complaints time and time again. **To the extent Complaining Members are not satisfied by the Board's response herein, Complaining Members may exercise their right to challenge DCREMC's Service Rules and Regulations and Policies in civil court.**

Sincerely,

PARR RICHEY
FRANDSEN PATTERSON KRUSE LLP

By: 
Erin C. Borissov

ECB/kc

cc: DCREMC Board of Directors (via email)
DCREMC CEO (via email)
Don Wickens (via email)
Robert Wickens (via email)
Jeff Springmeyer (via Certified Mail)
Jay Hatton (via Certified Mail)
Adam Smith (via Certified Mail)
Larry and Tammy Sidell (via Certified Mail)
Dan Cathey (via Certified Mail)