



# City Light Lease Settlement Announcement



## FACTSHEET: City Light Lease Settlement Timeline

**Fall 2007 through 2008** - The City of Fort Wayne and Indiana Michigan Power (I&M) began discussions preparing for the expiration of the 1974 City Light Lease. Because the expiration of the Lease was complex and resolution would not be easy, the City and I&M successfully agreed to extend certain notice periods under the Lease and assembled knowledgeable teams to address the unique and challenging legal and practical issues presented.

**January 2009 through November 2009.** The parties' negotiation teams met on multiple occasions and held discussions throughout 2009. Near the end of 2009 as the Lease's expiration date approached, and City and I&M went to the Allen Superior Court to preserve their respective legal positions. Judge Stanley Levine ordered the litigation stayed and directed the parties to negotiate their differences on a confidential basis with a court-appointed mediator, John Whiteleather.

**December 2009 through February 2010.** Over a three-month span, the mediator successfully conducted three intensive and lengthy mediation sessions with the City and I&M negotiation teams. The last of these mediation sessions produced a breakthrough – an understanding on a framework by which the parties believed they could resolve their differences concerning the Lease.

**March 2010 through September 2010.** With continued oversight by the mediator, the negotiating teams worked through a long list of terms and provisions for the transfer of all retail electric utility rights and property to I&M and a businesslike plan for the payment of compensation to the City. In addition to informal discussions with the mediator, the City and I&M teams met in person and by telephone on multiple occasions through September 2010 to hammer out difficult issues.

**October 2010.** Ultimately, the teams were able to negotiate a final and mutually acceptable resolution to all issues under the Lease. The terms are set forth in a Settlement Agreement, executed on Oct. 28, 2010. The Settlement Agreement must be approved by the Fort Wayne City Council and by the Indiana Utility Regulatory Commission. The City and I&M are jointly seeking those approvals for the ultimate benefit of the citizens of Fort Wayne and I&M's customers.