

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of Veolia Energy Kansas            )  
City, Inc.'s Request to Initiate a Small         )  
Utility Rate Case                                    )         Case No. HR-2018-0341

**MOTION FOR EXPEDITED TREATMENT OF TARIFF SHEETS**

COMES NOW Veolia Energy Kansas City, Inc. ("Veolia") and pursuant to this Commission's October 31, 2018 *Order to File Conforming Tariff (the "Order")*, hereby files its Motion for Expedited Treatment of Tariff Sheets (Motion"). In support of its motion, Veolia states as follows:

1. On October 26, 2018, Veolia and Missouri Public Service Commission Staff ("Staff") filed their Non-Unanimous Stipulation and Agreement in this docket.

2. On October 31, 2018, the Commission issued its Order, which stated in part: "Veolia Energy Kansas City, Inc. shall file tariffs in compliance with the terms of the Agreement and the sample tariff sheets included as Appendix D to the Agreement no later than November 2, 2018."

3. Counsel for Office of Public Counsel ("OPC"), a non-signatory party to this case, indicated OPC will not object or request a hearing on the issues resolved in the Non-Unanimous Stipulation and Agreement.

4. Concurrent with this filing, Veolia has filed the revised tariff sheets as authorized by the Order. Those revised tariff sheets bear an issue date of November 2, 2018, and show an effective date of December 1, 2018.

5. 4 CSR 240-10.075(11)(C) provides that tariffs filed pursuant to a nonunanimous agreement must bear an effective date forty-five days after the issue date. 4 CSR 240-10.075(15) provides that the Commission may waive the provisions of the rule for good cause. Good cause exists to allow Veolia to file the compliance tariffs with a thirty-day effective date as the

Commission's Order in this case directed Veolia to file tariffs consistent with the exemplar tariffs attached to the Non-Unanimous Stipulation and Agreement. Finally, the purpose of the forty-five day requirement in 4 CSR 240-10.075(11)(C) is presumably to allow more time if a non-signatory party wishes to object. In this case, the only non-signatory party, OPC, has already indicated that it does not object.

6. Section 393.140(11) specifies that, unless the Commission orders otherwise, a change shall not be made to any rate filed by a utility except after thirty days' notice to the Commission and publication for thirty days as required by order of the Commission. However, Section 393.140(11) expressly provides that, for good cause shown, the Commission may allow tariff changes without requiring thirty days' notice. Good cause exists to make Veolia's compliance tariffs effective on December 1, 2018. First, the Commission in its Order directed Veolia to file the tariffs that are filed concurrently with the filing of this Motion. Second, the Non-Unanimous Stipulation and Agreement anticipate that the tariffs will become effective on December 1. Third, the operation of Veolia's Production Adjustment Cost Clause ("PACC") is such that a rate change on December 2 rather than December 1 would be problematic. Fourth, Veolia's billing cycles operate in such a manner that a rate change on December 2 rather than December 1 would also be problematic. Finally, the difference to customers from having the new rates effective December 1 instead of December 2 will be minimal.

7. As provided for in 4 CSR 240-2.080(14)(B), Veolia states that the benefit that will accrue in approving the tariff sheets in just under thirty days rather than forty-five days is that the rates implemented by the new tariff sheets are agreed by the parties to be just and reasonable, whereas the current rates are not. Moreover, a December 1 effective date will allow the new rates to take effect in accordance with the agreement embodied in the Non-Unanimous Stipulation and

Agreement. And finally, a December 1 effective date will avoid the problematic impacts on the operation of the PACC and billing cycles discussed in paragraph 7.

8. As provided for in 4 CSR 240-2.080(14)(C), Veolia states that this motion was filed as soon as it could have been under the circumstances.

WHEREFORE, Veolia respectfully requests that the Commission grant this Motion and: 1) allow Veolia to file compliance tariffs with a thirty-day effective date rather than a forty-five day effective date; and 2) approve Veolia's tariff sheets to be effective December 1, 2018.

Respectfully submitted,

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### **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 2nd day of November, 2018, to all parties on the Commission's service list in this case.

/s/ Diana Vuylsteke