

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

In the Matter of the Joint Application of Stoddard)
County Sewer Company, Inc., R.D. Sewer Co., L.L.C.)
and the Staff of the Missouri Public Service)
Commission for an Order Authorizing Stoddard)
County Sewer Co., Inc. to Transfer its Assets to R.D.)
Sewer Co., L.L.C., and for an Interim Rate Increase)

Case No. SO-2008-0289
Tariff Nos. YS-2009-0391
YS-2009-0393

**ORDER APPROVING TARIFF FILINGS IN COMPLIANCE WITH
COMMISSION ORDER**

Issue Date: December 11, 2008

Effective Date: December 21, 2008

On October 23, 2008,¹ the Commission issued its Report and Order (“Order”) in this matter bearing an effective date of November 2. In the Order, *inter alia*, the Commission directed R. D. Sewer Company, L.L.C. (“R. D. Sewer”) to file specific tariff sheets for Stoddard County Sewer Company, the assets of which are being transferred to R. D. Sewer. The Order further directed R. D. Sewer to include provisions in the tariff for billing customers by monthly statement and for charging customers a late fee of Five Dollars (\$5.00) if the monthly bill is not paid by the 20th day after the bill date.

On November 21, R. D. Sewer filed the revised tariff sheets and an Adoption Notice, assigned Tariff Nos. YS-2009-0391 and YS-2009-0393, each bearing an effective date of December 21. On November 24, the Commission’s Staff filed a recommendation advising the Commission that the tariff sheets are in compliance with the Commission’s Order. Staff recommends the Commission approve the submitted tariffs to go into effect on their effective date of December 21, 2008.

¹ All dates throughout this order reference the year 2008 unless otherwise noted.

Also on November 24, the Office of the Public Counsel (“Public Counsel”) filed an objection to the tariff sheets filed by R. D. Sewer. Public Counsel does not contest the accuracy of R. D. Sewer’s tariff submission, nor does it contend that the tariff sheets are not in compliance with the Commission’s Order. Instead, Public Counsel objects solely on the basis that the Commission has not yet ruled on its pending application for rehearing and request for a stay pending its appeal of the Order.

On November 25, R. D. Sewer filed a substitute sheet for its Adoption Notice correcting the caption of the sheet to clarify that it is Original Sheet No. A. The filing does not alter the substance of the Adoption Notice and no party filed a response to the filing of the substitute sheet.

The Commission has reviewed the tariff filings and Staff’s recommendation and finds that R. D. Sewer’s tariffs are in compliance with the Commission’s Order. No party disputes the fact that the tariffs are in compliance with the Commission’s Order and they shall be approved. The Commission shall rule on Public Counsel’s application for rehearing and request for a stay in a separate order.

THE COMMISSION ORDERS THAT:

1. The tariff sheets and substitute sheet filed by R. D. Sewer Company, L.L.C., pursuant to the Commission’s October 23, 2008 Report and Order, assigned Tariff Nos. YS-2009-0391 and YS-2009-0393, are approved to become effective on December 21, 2008. The tariff sheets approved are:

P.S.C. MO. No.1
Original Sheet No. A (Adoption Notice)
Third Revised Sheet No. 7, Canceling Second Revised Sheet No. 7
Second Revised Sheet No. 11, Canceling First Revised Sheet No. 11
Original Sheet No. 11a

2. This order shall become effective on December 21, 2008.
3. This case shall be closed on December 22, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 11th day of December, 2008.