

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

In the Matter of a Requested Rate Increase)
For Annual Sewer Operating Revenues by)
Hickory Hills Water and Sewer)

Case No. SR-2014-0166

In the Matter of a Requested Rate Increase)
For Annual Water Operating Revenues by)
Hickory Hills Water and Sewer)

Case No. WR-2014-0167

**JOINT MOTION FOR WAIVER AND
PROPOSED AMENDED PROCEDURAL SCHEDULE**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, on behalf of all the parties,¹ and for its *Joint Motion for Waiver and Proposed Amended Procedural Schedule*, states as follows:

1. On December 2, 2013, Hickory Hills Water & Sewer Company (“Hickory Hills”) filed with the Missouri Public Service Commission a letter requesting Commission approval of an increase in its annual sewer and water system operating revenues, pursuant to Commission Rule 4 CSR 240-3.050, *Small Utility Rate Case Procedure*. That rule includes an 11-month deadline for the resolution of the case.² In this case, the deadline measured from the date of filing is November 2, 2014.

2. Staff filed a *Staff/Company Disposition Agreement* on July 7, 2014, in which the Office of the Public Counsel (“OPC”) refused to join. The Company, meanwhile, filed compliance tariffs to implement the *Staff/Company Disposition Agreement*, with an effective date of September 1, 2014.

¹ Efforts to reach Mr. Cover have been unsuccessful; however, it is believed that the proposed procedural schedule included here will be convenient for him, as well.

² Rule 4 CSR 240-3.050(24).

3. On August 22, 2014, OPC moved to suspend the tariffs and requested an evidentiary hearing herein. The Commission responded on August 27, 2014, with its *Order Suspending Tariff, Notice of Contested Case, Notice of Hearing, and Procedural Schedule*. Therein, the Commission stated:

this matter should move through the contested case proceeding within the time remaining in this rate case process as contemplated by the regulation. * * * The agreement has been on file since July 7, 2014.¹⁸ The tariff has been on file since July 14, 2014.¹⁹ OPC's prepared testimony has been on file since August 22, 2014. The Commission finds that it is possible and appropriate to order an expedited procedural schedule so that this matter may be heard and resolved before the deadline of November 2, 2014, as contemplated by the Commission's regulation. Therefore, the Commission will order an expedited schedule.

4. The Commission's *Order* of August 27, 2014, established the following procedural schedule:

September 10, 2014	Rebuttal Testimony Filed
September 17, 2014	Surrebuttal Testimony Filed (if any)
September 29-October 2, 2014	Hearing
October 15, 2014	Simultaneous Briefs Due

5. On August 29, 2014, OPC moved to amend the procedural schedule, proposing alternative dates. On September 8, 2014, the Receiver moved to reschedule the hearing, explaining that he would be out of the country and thus unable to participate either according to the procedural schedule set by the Commission or the alternative schedule proposed by OPC.

6. Now, therefore, on behalf of all the parties, Staff moves the Commission to waive the requirement of its Rule 4 CSR 240-3.050(24), that this case be finally resolved with 11 months of its commencement on December 2, 2013, on the grounds that the requirements of due process and fairness to the participants, including the

utility's ratepayers, require it. Additionally, the parties propose the below amended procedural schedule:

September 26, 2014	Rebuttal Testimony filed
October 10, 2014	Surrebuttal Testimony filed (if any)
October 15, 2014	List of Issues, List and Order of Witnesses, Order of Opening and Order of Cross, filed
October 17, 2014	Statement of Positions
October 22-October 23, 2014	Hearing
November 15, 2014	Simultaneous Briefs due

WHEREFORE, Staff and all the Parties pray that the Commission will grant the requested waiver of Rule 4 CSR 240-3.050(24) and will amend the procedural schedule as proposed herein; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ Kevin A. Thompson
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed with first-class postage, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this **9th day of September, 2014.**

/s/ Kevin A. Thompson