

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

**In the Matter of the Application of KMB)
Utility Corporation for a Water Rate)
Increase)**

Case No. WR-2010-0345

**MOTION FOR EXPEDITED CONSIDERATION AND APPROVAL OF
TARIFF SHEETS FILED ON LESS THAN THIRTY DAYS' NOTICE**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and for its *Motion for Expedited Consideration and Approval of Tariff Sheets Filed on Less Than Thirty Days' Notice* ("Motion") states as follows:

1. On May 21, 2010, the Missouri Public Service Commission ("the Commission") received a Rate Increase Request Letter ("Request Letter") from KMB Utility Corporation ("KMB" or "the Company").

2. In its Request Letter, KMB requested Commission approval of an increase of \$18,500 in its annual water system operating revenues pursuant to Commission Rule 4 CSR 240-3.050.

3. Subsequent to Staff's investigation and pursuant to negotiations between the Company, Staff, and the Office of the Public Counsel ("Public Counsel"), all parties have been able to reach a *Unanimous Agreement Regarding Disposition of Small Water Company Revenue Increase Request* ("Unanimous Agreement") that is being filed under separate pleading today pursuant to Commission Rule 4 CSR 240-3.050(13).

4. The *Unanimous Agreement* provides for the tariffs to become effective February 1, 2011, which is less than the thirty (30) days provided by statute and rule. See Section 393.140(11) RSMo, (2000) and Rule 4 CSR 240-3.050(13).

5. Section 393.140(11), RSMo (2000) provides that “The commission for good cause shown may allow changes without requiring the thirty days’ notice under such conditions as it may prescribe.” Additionally, any Commission rule may be waived for good cause. 4 CSR 240-2.015. For good cause, Staff respectfully submits that all parties have agreed to the early effective date of February 1, 2011, and the parties recognize that the Company’s increase in revenue is required in order for the Company’s rates to be just and reasonable.

6. Staff requests approval of the tariff sheets to be effective on February 1, 2011, as this would be consistent with the *Unanimous Agreement* reached by all parties in this matter.

7. KMB is current on its payment of Commission assessments and on its filings of annual reports and statements of revenue. KMB has no other cases pending before the Commission at this time.

WHEREFORE, Staff respectfully submits this *Motion for Expedited Consideration and Approval of Tariff Sheets Filed on Less Than Thirty Days’ Notice* for the Commission's information, consideration and approval in this case and requests that the Commission enter an Order adopting the tariffs with an effective date of February 1, 2011 as agreed to in the *Unanimous Agreement* entered into by Staff, the Company, and Public Counsel.

Respectfully submitted,

/s/ RACHEL M. LEWIS

Rachel M. Lewis

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 24th day of January, 2011.

/s/ RACHEL M. LEWIS