

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

In the Matter of Request for Increase )  
in Annual Sewer System Operating ) **File No. SR-2012-0263**  
Revenues by R.D. Sewer Company, LLC )

In the Matter of a Rate Increase ) **File No. WR-2012-0266**  
for Lakeland Heights Water Company, Inc. )

In the Matter of the Rate Increase ) **File No. WR-2012-0267**  
for Oakbrier Water Company, Inc. )

**MOTION TO STAY PROCEEDINGS**

**COMES NOW** the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), by and through counsel, and respectfully states:

1. On January 31, 2012,<sup>1</sup> R.D. Sewer Co., L.L.C., Lakeland Heights Water Co., Inc., and Oakbrier Water Company, Inc., (collectively, “the Companies”), initiated small company rate increase actions pursuant to Commission Rule 4 CSR 240-3.050.<sup>2</sup>

2. On August 28, the Staff and the Companies filed Disposition Agreements that included comprehensive accounting schedules, a review of customer service and business operation and example tariffs designed to implement the agreed-upon revenue requirements.

3. The Office of the Public Counsel (“Public Counsel”) did not join in the Agreements. On October 4, Public Counsel filed motions requesting the Commission to suspend the tariffs and schedule local public hearings, which were held on October 29 and 30.

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<sup>1</sup> All dates are in 2012, unless otherwise noted.

<sup>2</sup> All the Companies have the same owner.

4. On October 23, the Commission set aside November 21 for an evidentiary hearing in the event the parties were unable to resolve their differences, and ordered the parties to file a Joint List of Issues and Order of Witnesses on November 15, with Public Counsel filing a List of Issues on November 14, 2012.

5. Since then, the Companies, Staff and Public Counsel have continued to discuss the cases and have reached an agreement in principle that resolves all issues related to the Companies' rate increase requests. Therefore, Staff, Public Counsel and the Companies agree that it would be in the best interest of all parties that these proceedings be stayed to allow the parties to enter into Unanimous Disposition Agreements that fully resolve these matters.

6. Public Counsel has stated that it agrees and supports this motion to stay proceedings. Staff has attempted to reach the Companies for the same approval but has not heard back today, but Staff states that it does not anticipate an objection from the Companies regarding this pleading. Since a filing related to the hearing is due today per the procedure established in this case, Staff deems this motion to stay the procedure is appropriate at this time.

**WHEREFORE**, Staff respectfully requests that the Commission enter an order staying the proceedings in these cases and grant such other and further relief as the Commission deems just and proper.

Respectfully Submitted,

**STAFF OF THE MISSOURI  
PUBLIC SERVICE COMMISSION**

**/s/ John D. Borgmeyer**

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**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing were served electronically to all counsel of record this 14<sup>th</sup> day of November, 2012.

**/s/ John D. Borgmeyer**