

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

In the Matter of Timber Creek Sewer            )  
Company, Inc.'s Tariff Designed to            )  
Increase Rates for Sewer Service            )

**Case No. SR-2008-0080**  
Tariff No. YS-2008-0171

**APPLICATION TO INTERVENE**  
**MOTION TO SUSPEND TARIFFS AND SCHEDULE**  
**EVIDENTIARY HEARING**

Comes now Hunt Midwest Real Estate Development, Inc. (Hunt Midwest), pursuant to 4 CSR 240-2.075 of the Rules of Practice and Procedure, and for its above entitled pleading respectfully states the following to the Commission:

1.       Hunt Midwest is a Missouri corporation having a place of business at 8300 N.E. Underground Drive, Kansas City, Missouri 64161. Hunt Midwest is generally in the business of residential subdivision development including construction and installation of utility infrastructure for single family dwellings. A copy of its certificate of good standing issued by the Missouri Secretary of State's office is attached as Exhibit 1.

2.       Correspondence, communications, orders and the decision in this matter should be addressed to:

Ora H. Reynolds  
Vice-President and General Manager  
Hunt Midwest Real Estate Development, Inc.  
8300 NE Underground Drive, Suite 200  
Kansas City, MO 64161  
Telephone No.:       816-455-2500  
Fax No.:               816-455-2890

Mark W. Comley  
NEWMAN, COMLEY & RUTH P.C.  
P.O. Box 537  
Jefferson City, MO 65102-0537  
Telephone No.: 573-634-2266  
Fax No.: 573-636-3306

3. This case arose when Timber Creek Sewer Company, Inc. (the Company) initiated a small company rate case under procedures set out in 4 CSR 240.3.330. Hunt Midwest received an “Initial Customer Notice” of the filing and responded on May 3, 2007 by letter to the Commission and the Office of Public Counsel, a copy of which is attached hereto as Exhibit 2. Hunt Midwest has also received a “Second Customer Notice” pertaining to this matter in which the Company advises that the Commission Staff and the Company have agreed to an increase in the Company’s revenues of \$129,837, approximately \$10,000 more than the Company’s initial request. One of the rates and charges proposed for increase is the Company’s Service Connection Fee which is scheduled to be increased from \$1,600 to \$2,650. Apparently, the Company has filed proposed tariffs with an effective date of November 1, 2007 by which to implement these increased rates which tariffs have not yet been approved by the Commission.

4. Hunt Midwest engages in residential development within the certificated area of the Company and the service connection fee increase proposed will have a direct impact on Hunt Midwest’s business.

5. Hunt Midwest has a direct interest in the outcome of this proceeding and therefore has an interest entirely different from that of the general public.

6. It is Hunt Midwest’s position that the tariffs filed by the Company to implement its rate increase are unlawful, unjust and unreasonable and the Commission should suspend the same and conduct an investigatory hearing into their lawfulness and reasonableness.

7. Granting Hunt Midwest’s proposed intervention would serve the public interest.

WHEREFORE, for the foregoing reasons, Hunt Midwest Real Estate Development, Inc. respectfully requests that the Commission reject the Company's tariffs, suspend the same and hold a hearing on the reasonableness thereof, granting Hunt Midwest intervention therein and thereby entitle it to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the argument, and in all other respects fully participate in this proceeding.

Respectfully submitted,

/s/ Mark W. Comley

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Attorneys for HUNT MIDWEST REAL ESTATE  
DEVELOPMENT, INC.

Certificate of Service


I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 4th day of October, 2007, to General Counsel's Office at [gencounsel@psc.mo.gov](mailto:gencounsel@psc.mo.gov); Office of Public Counsel at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov); and Timber Creek Sewer Co. at [tcscoco@yahoo.com](mailto:tcscoco@yahoo.com).

/s/ Mark W. Comley

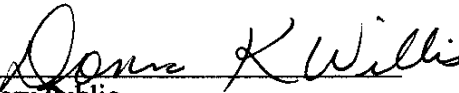
**VERIFICATION**

STATE OF MISSOURI       )  
  ) ss.  
COUNTY OF Clay       )

I, Ora H. Reynolds, being first duly sworn upon oath, do hereby depose and state that I am Vice-President and General Manager for Hunt Midwest Real Estate Development, Inc. and am authorized to execute this verification; that I have read the above and foregoing application to intervene and know the contents thereof; that the contents are true and correct to the best of my knowledge, information and belief.

  
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Ora H. Reynolds

Subscribed and sworn to before me, a Notary Public, this 3 day of October, 2007.

  
\_\_\_\_\_  
Notary Public

