

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
January 31, 2001**

CASE NO: SR-2000-556

Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Gregory D. Williams
Highway 5 at Lake Road 5-33
P O Box 431
Sunrise Beach, MO 65079

Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive, slightly slanted style.

**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

Uncertified Copies:

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

| | | |
|--|---|------------------------------------|
| In the Matter of Osage Water Company's |) | |
| Request for a Rate Increase for Sewer |) | <u>Case No. SR-2000-556</u> |
| Service Pursuant to the Public Service |) | |
| Commission's Small Company Rate Increase |) | |
| Procedure |) | |

ORDER ESTABLISHING PROCEDURAL SCHEDULE

Osage Water Company (Osage), on October 12, 1999, filed a request for a rate increase pursuant to 4 CSR 240-2.200. On November 14, 2000, Osage filed an agreement it had reached with the Staff of the Commission regarding the rate increase, together with revised tariff sheets designed to implement that increase. On November 30, 2000, the Office of the Public Counsel (Public Counsel) filed a request for a local public hearing pursuant to 4 CSR 240-2.200(1)(E). A local public hearing was held in Osage Beach on January 9, 2001. Public Counsel filed a "Notice of Public Counsel's Objection to Tariff Sheets, Motion to Suspend Tariff Sheets and Request for Evidentiary Hearing" on January 16, 2001.

The Commission will grant Public Counsel's motion to hold an evidentiary hearing.¹ Because the Staff and Public Counsel have already had the opportunity to audit Osage's books and records pursuant to the Commission's Small Company Rate Increase Procedure, the Commission will establish a relatively expedited procedural schedule, and will apply the following conditions:

¹ Public Counsel's request to [further] suspend the tariff sheets and motion to compel will be addressed in a subsequent order.

(A) The Commission will require the prefiling of testimony as defined in 4 CSR 240-2.130. All parties shall comply with this rule, including the requirement that testimony be filed on line-numbered pages. The practice of prefiling testimony is designed to give parties notice of the claims, contentions and evidence in issue and to avoid unnecessary objections and delays caused by allegations of unfair surprise at the hearing.

(B) Pursuant to 4 CSR 240-2.130(15), testimony and schedules shall not be filed under seal and treated as proprietary or highly confidential unless the Commission has first established a protective order. Any testimony or schedule filed without a protective order first being established shall be considered public information.

(C) The parties shall agree upon and the Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing and the order in which they shall be called, and the order of cross-examination for each witness. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.

(D) Each party shall file a statement of its position on each disputed issue. Such statement shall be simple and concise, and shall not contain argument about why the party believes its position to be the correct one.

(E) The Commission's general policy provides for the filing of the transcript within two weeks after the hearing. If any party seeks to expedite the filing of the transcript, such request shall be tendered in writing to the regulatory law judge at least five days prior to the date of the hearing.

(F) All pleadings, briefs and amendments shall be filed in accordance with 4 CSR 240-2.080. Briefs shall follow the same list of

issues as filed in the case and shall set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(G) All parties are required to bring an adequate number of copies of exhibits which they intend to offer into evidence at the hearing. If an exhibit has been prefiled, only three copies of the exhibit are necessary for the court reporter. If an exhibit has not been prefiled, the party offering it should bring, in addition to the three copies for the court reporter, copies for the five Commissioners, the regulatory law judge, and all counsel.

IT IS THEREFORE ORDERED:


1. That the following procedural schedule is established for this case:

| | |
|---|--------------------------------|
| Direct testimony of Staff and Public Counsel | February 14, 2001 3:00 P.M. |
| Rebuttal testimony of all parties | February 21, 2001 3:00 P.M. |
| List of issues | February 26, 2001 |
| All parties' position statements | February 28, 2001 3:00 P.M. |
| Evidentiary hearing | March 6, 2001 8:30 A.M. |

The hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a building that meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.

2. That this order shall become effective on February 10, 2001.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read "Dale Hardy Roberts". The signature is written in a cursive, somewhat stylized font.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lewis Mills, Deputy Chief Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 31st day of January, 2001.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 31st day of Jan. 2001.



Dale Hardy Roberts

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge