

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

In the Matter of Mid MO Sanitation LLC     )  
for a Certificate of Convenience and         )  
Necessity Authorizing it to Own, Operate   )  
Maintain, Control and Manage a Sewer       )  
System in Callaway County, Missouri.       )

**Case No. SA-2009-0319**

**OFFICE OF THE PUBLIC COUNSEL’S REQUEST FOR EXTENSION OF TIME  
TO RESPOND TO STAFF’S RECOMMENDATION**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Request for Extension of Time to Respond to Staff’s Recommendation states as follows:

1. On March 6, 2009, Mid MO Sanitation LLC (Mid MO) filed an Application with the Missouri Public Service Commission (Commission) seeking to obtain from the Commission a certificate of convenience and necessity to own, operate, maintain, control and manage a sewer system in Callaway County, Missouri.
2. On May 1, 2009, the Staff of the Public Service Commission (Staff) filed its recommendations stating that Staff and the Company have reached an agreement whereby Mid MO will include in its tariff a flat fee of \$79.01 per month for residential service and a flat fee of \$118.52 per month for commercial service. Staff states that under this agreement, these rates are to be contained in the Company’s tariff, to be filed prior to their exercise, and will be subject to Commission approval at that time.
3. The Staff Recommendation also attached a Memorandum in which Staff stated its recommendation that the Commission issue an order which:
  - a. Approves a Certificate of Convenience and Necessity for Mid MO Sanitation LLC to provide sewer service as described in its Application;

- b. Requires Mid MO to submit a complete tariff specifying a monthly rate of \$79.01 for residential customers and \$118.52 for commercial customers. The customer will not be billed for service until such time as the tariff is approved and made effective;
  - c. Approves the schedule of depreciation rates attached to Staff's Memorandum; and
  - d. Recognizes that nothing in Staff's Memorandum, or in any order issued by the Commission shall bind the Commission on any ratemaking issue in any future rate proceeding.
4. As Public Counsel has ten (10) days to respond to Staff's Recommendation, Public Counsel's Response is due to be filed by May 11, 2009.
5. Even though it is a party to this case, Public Counsel was not included in any discussions between Staff and Mid MO regarding an agreement whereby Mid MO will include in its tariff a flat fee of \$79.01 per month for residential service and a flat fee of \$118.52 per month for commercial service.
6. Also, despite the fact that Staff's Recommendation was filed on Friday, May 1<sup>st</sup>, Public Counsel did not receive from Staff the information and workpapers necessary for Public Counsel's review until late Tuesday, May 5<sup>th</sup> and early Wednesday, May 6<sup>th</sup>. This left Public Counsel with less than three business days for its review of the documents before a Response would have to be filed.
7. Without a thorough review of the information and workpapers recently provided by Staff, Public Counsel has no ability to respond as to whether this recommendation and its stated agreement between Staff and Mid MO is just and reasonable. Therefore, given the delay in receiving this necessary documentation, Public Counsel states that it will not be able to review the documentation and formulate its response by Monday, May 11<sup>th</sup>.

8. Public Counsel believes that, in light of the extent of the documents and workpapers it was given to review and its current heavy workload, Public Counsel will need an additional two weeks to review the documentation and prepare its response. As two weeks from May 11<sup>th</sup> is Memorial Day, the next business day would be Tuesday, May 26<sup>th</sup>. Therefore, Public Counsel requests an extension of time to May 26, 2009 to file its Response to Staff's Recommendation.

9. Public Counsel states that it has contacted the attorneys for Staff and Mid MO and both parties have stated they have no objections to Public Counsel's request for an extension of time to May 26, 2009 for filing its Response.

**WHEREFORE,** Public Counsel respectfully requests that the Commission grant its request for an extension of time to May 26, 2009 to respond to Staff's Recommendation.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

**/s/ Christina L. Baker**

By: \_\_\_\_\_

Christina L. Baker (#58303)  
Senior Public Counsel  
P O Box 2230  
Jefferson City, MO 65102  
(573) 751-5565  
(573) 751-5562 FAX  
christina.baker@ded.mo.gov

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 7<sup>th</sup> day of May 2009:

General Counsel Office  
Missouri Public Service Commission  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
GenCounsel@psc.mo.gov

Eric Dearmont  
General Counsel Office  
Missouri Public Service Commission  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
eric.dearmont@psc.mo.gov

Dean Cooper  
Mid MO Sanitation LLC  
P.O. Box 456  
312 East Capitol  
Jefferson City MO 65102  
dcooper@brydonlaw.com

**/s/ Christina L. Baker**

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