

**ROGUE CREEK UTILITIES, INC.**

c/o Dale W. Johansen  
Johansen Consulting Services  
915 Country Ridge Drive  
Jefferson City, MO 65109

March 27, 2013

Secretary of the Commission  
Missouri Public Service Commission  
**Attn: Data Center**  
P.O. Box 360  
Jefferson City, MO 65102

RE: (1) Requests for Increases in Annual Water System and Sewer System Operating Revenues Pursuant to the MO PSC Small Utility Rate Case Procedure (4 CSR 240-3.050)  
  
(2) Submission of Water and Sewer Tariff Revisions to Implement Interim Rates & Special Surcharges Pending Resolution of Small Utility Rate Case Procedure

Dear Secretary:

Rogue Creek Utilities, Inc. (the Company) holds certificates of public convenience and necessity granted by the Missouri Public Service Commission (the Commission), under which the Company provides water supply and distribution services and sewer collection and treatment services in designated service areas in Washington County, Missouri. The Company's original tariff under which it was authorized by the Commission to provide water service went into effect on December 1, 1976. The Company's original tariff under which it was authorized by the Commission to provide sewer service went into effect on June 1, 1978. The Company currently provides service to approximately 100 water customers and approximately 95 sewer customers within its certificated areas under the provisions of its Commission-approved tariffs. The Company's customer rates and charges for both water service and sewer service were last changed in November 2002.

The Company is currently operating under the control of a receiver pursuant to an order of the Cole County Circuit Court that originally became effective on November 9, 2007, and which was issued in response to actions taken by the Commission. The current receiver, Johansen Consulting Services, was appointed by the Court through an order that became effective on June 11, 2012. Johansen Consulting Services is a business name registered with the Missouri Secretary of State (SOS) by Dale W. Johansen through a "registration of fictitious name" filing made with the SOS on November 1, 2011. Copies of the order appointing Johansen Consulting Services as the receiver for the Company and the registration of fictitious name from the SOS for Johansen Consulting Services are attached.

Pursuant to 4 CSR 240-3.050, the Commission's rule pertaining to operating revenue increase requests made by qualifying small utilities, the Company is hereby requesting an increase of \$40,425 in its annual water system operating revenues and an increase of \$48,565 in its annual sewer system operating revenues. Based upon the annualized operating revenues generated by existing rates, these increases represent changes of approximately 254% in the Company's annual water system operating revenues and approximately 278% in the Company's annual sewer system operating revenues. The Company understands that the design of its customer rates, its service charges, its customer service practices, its general business practices and its general tariff provisions will be reviewed during the Commission Staff's (Staff) review of the operating revenue increase requests, and may thus be the

Missouri Public Service Commission  
Re: Increase in Operating Revenues  
March 27, 2013 – Page 2 of 3 Pages

subject of Staff recommendations at the conclusion of the rate case procedure. Documents pertaining to the calculation of, and providing support for, the requested revenue increases will be provided to the Staff and the Office of the Public Counsel (OPC) shortly after this letter is submitted to the Commission.

The specific reasons for the requested increases in the Company's annual operating revenues for both water service and sewer service include: (1) increases in the Company's routine operation and maintenance expenses; (2) increases in the Company's receivership-related expenses; (3) the need to perform, and recover the cost of, several deferred maintenance items, many of which are related to compliance with requirements of the Department of Natural Resources; and (4) the need to pay, and recover the cost of, several past-due accounts payable.

With regard to Commission Rule 4 CSR 240-4.020(2), which requires notice to be filed with the secretary of the Commission a minimum of sixty days prior to the filing of a case that is likely to be a contested case, the Company is hereby requesting a waiver of the rule. The reason for the requested waiver is that the Company needs to have new rates take effect as soon as possible and simply cannot wait an additional sixty days to submit its operating revenue increase requests.

Regarding the provisions of Commission Rule 4 CSR 240-3.050(4), please be advised that the Company is current on the payment of its FY2013 Commission annual assessments (the assessment is being paid quarterly), the submission of its Commission annual reports and the submission of its annual statement of operating revenues. Please also be advised the Company will remain current on these items during the small utility rate case procedure that will result from the submission of this letter. However, please note that the Company is currently not in good standing with the SOS, in that it was administratively dissolved in 2004 for the failure to file the required SOS annual registration report.

Lastly, please be advised that in addition to the "regular" requests for increases in its water and sewer operating revenues, the Company is also submitting, *with this letter*, proposed revised tariff sheets to implement interim increases in its water and sewer rates, as well as special surcharges related to its water and sewer services. The subject revised tariff sheets an effective date that is thirty days after their issue date. As noted in the subject revised tariff sheets, the interim rates and surcharges will be subject to refund and/or change pending the resolution of the rate case procedure that will result from the submission of this letter. Documents pertaining to the calculation of, and providing support for, the interim rates and surcharges will be provided to the Staff and the OPC shortly after this letter is submitted to the Commission.

Thank you for your attention to this important matter. Please contact me at your convenience if you need additional information regarding this request. You can reach me by electronic mail at [dalewjconsult@gmail.com](mailto:dalewjconsult@gmail.com) or by telephone at 573-230-3007.

Sincerely,

*/s/ Dale W. Johansen*

Dale W. Johansen  
Johansen Consulting Services  
Court-Appointed Receiver

Copies: Jim Russo – Commission Staff  
Christina Baker – Office of the Public Counsel

Schedule of Attachments

- (1) Court Order Appointing Johansen Consulting Services as Receiver (3 pages)
- (2) SOS Fictitious Name Registration for Johansen Consulting Services (1 page)
- (3) Revised Rate Tariff Sheet for Water Service (1 page)
- (4) Revised Rate Tariff Sheet for Sewer Service (1 page)

IN THE CIRCUIT COURT FOR THE COUNTY OF COLE  
STATE OF MISSOURI

Public Service Commission of the State )  
of Missouri, )

Plaintiff, )

v. )

Rogue Creek Utilities, Inc., )

Defendant. )

Case No. 07AC-CC00682

ORDER FOR CHANGE OF RECEIVER

This matter came to be heard on the 11 day of June, 2012 on plaintiff's Motion for Change of Receiver for Rogue Creek Utilities, Inc. Plaintiff appears by attorney Steven Reed.

WHEREUPON, the Court, having reviewed the plaintiff's verified Motion and exhibits, hearing the arguments of counsel, and being fully apprized in the premises finds as follows:

1. On November 9, 2007, this Court appointed Joe Coleman as receiver for Rogue Creek Utilities, Inc. to promote the best interests of the customers and to ensure that the customers of Rogue Creek receive safe and adequate water and sewer service. Mr. Coleman received \$1000 per month as compensation.

2. Mr. Coleman served as receiver for Rogue Creek from November 7, 2007 until his death on April 27, 2008.

3. On June 4, 2008, this Court ordered that the continuing appointment of a receiver for Rogue Creek was necessary. This Court appointed Rita Coleman, Mr. Coleman's widow, as successor receiver for Rogue Creek with all of the powers, rights and authority vested in receivers pursuant to the provisions of §393.145.7 RSMo (Supp. 2005). Ms. Coleman's allowed compensation remained \$1,000 per month.

- 4. Rogue Creek continues to require the services of a receiver.
- 5. Johansen Consulting Services, owned by Dale Johansen, is a responsible entity with knowledge in the operation of utilities as required by § 393.145.5 RSMo (Supp. 2005).
- 6. The sum of \$1,200 as monthly compensation to the receiver is reasonable and supported by the Staff of the Missouri Public Service Commission.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED,

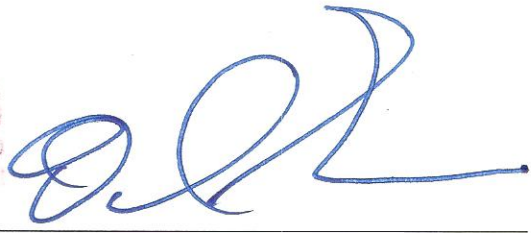
That the Commission's Motion for Change of Receiver for Rogue Creek Utilities, Inc. is granted.

That Johansen Consulting Services is appointed as the receiver for Rogue Creek Utilities, Inc. pursuant to § 393.145.6 RSMo (Supp. 2005).

That the receiver shall operate the utility so as to preserve the assets of Rogue Creek and to serve the best interests of its customers.

That the receiver shall be compensated from the assets of the utility in the amount of \$1200 per month.

So Ordered this 11 day of June, 2012.



Judge

*(Faint, mirrored text from the reverse side of the page, including "Clerk of the Circuit Court of Cole County, Missouri")*

STATE OF MISSOURI } SS  
COUNTY OF COLE

Clerk of the Circuit Court of Cole County, Missouri, hereby certify  
that the above and foregoing is a full true and correct copy of

*Judgment*

as fully as the same remains of record in my said office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed

the seal of my said office this 11 day of June 2012

*CHP*

Clerk  
Circuit Court of Cole County, Missouri



**State of Missouri**  
**Robin Carnahan, Secretary of State**

**File Number: 201130580217**  
**X01180588**  
**Date Filed: 11/01/2011**  
**Expiration Date: 11/01/2016**  
**Robin Carnahan**  
**Secretary of State**

### Registration of Fictitious Name

This fictitious name filing shall expire 5 years from the date filed unless a renewal filing is submitted within 6 months prior to the expiration date.

This information is for the use of the public and gives no protection to the name being registered. There is no provision in this Chapter to keep another person or business entity from adopting and using the same name. (Chapter 417, RSMo)

**The undersigned is doing business under the following name, and at the following address:**

Business name to be registered: **JOHANSEN CONSULTING SERVICES**  
 Business address: **915 COUNTRY RIDGE DR**  
 City, State and Zip Code: **JEFFERSON CITY MO 65109**

If all parties are jointly and severally liable, percentage of ownership need not be listed.

<b>Name of Owners, Individual or Business Entity</b>	<b>Street and Number</b>	<b>City and State</b>	<b>Zip Code</b>	<b>If listed, Percentage of ownership must equal 100%</b>
<b>DALE W JOHANSEN</b>	<b>915 COUNTRY RIDGE DR</b>	<b>JEFFERSON CITY MO</b>	<b>65109</b>	<b>100%</b>

**In Affirmation thereof, the facts stated above are true:**

(The undersigned understands that false statements made in this filing are subject to the penalties of a false declaration under Section 575.060, RSMo)

**DALE W JOHANSEN**  
*(Authorized Signature)*

**Owner**  
*(Authorized Party Relationship)*

**Rogue Creek Utilities, Inc.**

For: **Certificated Service Area in Washington County**

Name of Issuing Company

Certificated Service Area

**Schedule of Water Rates**

**Applicability** – The following monthly water service charges apply to any customer connected to the Company’s facilities and taking water service through such connection. +

**Monthly Minimum Service Charges** – The following charges will be billed regardless of the quantity of water metered. +

Regular Monthly Charge + \$11.51 (includes 1,000 gallons)

Interim Monthly Charge \* \$14.66 (see Note 1 below) \*

Special Monthly Surcharge \* \$14.68 (see Note 2 below) \*

Note 1: The Interim Monthly Charge is subject to refund pending the completion of the small utility rate case procedure that was initiated by the Company on March 26, 2013, and will be combined into a new Regular Monthly Charge at the completion of the subject rate case. \*

Note 2: The Special Monthly Surcharge is subject to change as a part of the resolution of the small utility rate case procedure that was initiated by the Company on March 26, 2013, and will expire no later than eleven (11) months after the date that it goes into effect. \*

**Water Service Commodity Charge** – The following charge shall be billed for all metered usage greater than 1,000 gallons per month. +

\$1.189 per 1,000 gallons for all metered usage over 1,000 gallons/month +

**Taxes** – Any applicable Federal, State or local taxes computed on a billing basis shall be added as separate items in rendering each bill.

**Late Payment Charge** – Billings will be made and distributed at monthly intervals. Bills will be rendered net, bearing the date on which payments will be considered delinquent. The period after which the payment will be considered delinquent is twenty-one (21) days after rendition of the bill. A charge of \$3.00 or 3% per month times the unpaid balance, whichever is more, may be added to delinquent amounts. The unpaid balance includes all amounts owed to the Company and may also include applicable disconnect/reconnect charges, collection costs and reasonable attorney’s fees for collection actions. +

+ Indicates Changed Text

\* Indicates New Rate or Text

**Issue Date:** March 27, 2013  
Month/Day/Year

**Effective Date:** April 26, 2013  
Month/Day/Year

**Issued By:** Dale W. Johansen – Receiver  
Name & Title of Issuing Officer

915 Country Ridge Drive, Jefferson City, MO 65109  
Company Mailing Address



**Rogue Creek Utilities, Inc.**

For: **Certificated Service Area in Washington County**

Name of Issuing Company

Certificated Service Area

**Schedule of Sewer Rates**

**Applicability** – The following monthly sewer service charges apply to any customer connected to the Company’s facilities and taking sewer service through such connection. +

**Monthly Service Charges** – The following charges will be billed on a monthly basis. +

- Regular Monthly Charge + \$15.46
- Interim Monthly Charge \* \$15.59 (see Note 1 below) \*
- Special Monthly Surcharge \* \$20.04 (see Note 2 below) \*

Note 1: The Interim Monthly Charge is subject to refund pending the resolution of the small utility rate case procedure that was initiated by the Company on March 26, 2013, and will be combined into a new Regular Monthly Charge at the completion of the subject rate case. \*

Note 2: The Special Monthly Surcharge is subject to change as a part of the resolution of the small utility rate case procedure that was initiated by the Company on March 26, 2013, and will expire no later than eleven (11) months after the date that it goes into effect. \*

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