

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

<b>In the Matter of the Application of The</b>	)	
<b>Raytown Water Company for an</b>	)	<b>Case No. WE-2007-0405</b>
<b>Extension of Time to June 15, 2007 to</b>	)	
<b>File Annual Report</b>	)	

**STAFF RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission, by and through its attorney and, for its Staff Recommendation, states to the Missouri Public Service Commission as follows.

1. On April 18, 2007, Raytown Water Company (“Company”) filed a request for an extension, until June 15, 2007, of the time by which it must file its Annual Report.
2. Because the request for an extension was late-filed, the Company also made a supplemental filing on April 20, 2007, requesting that it be allowed to file the extension request out of time.
3. On April 24, 2007, the Commission granted the Company leave to file the extension request out of time.
4. On April 24, 2007, the Commission also ordered the Staff to file its recommendation concerning the request for extension by no later than May 1, 2007.
5. In support of its request, the Company stated that its accountant had advised the Company that it would not be able to complete the Company’s tax returns by April 15, 2007, and that the accountant cannot prepare the Company’s 2006 annual report until after it completes the Company’s tax returns. The Company said it would therefore need to seek an extension of time to file the 2006 annual report.

6. Section 393.140 (6), RSMo 2000, which requires that every corporation under the supervision of the Commission shall file an annual report, provides that the Commission may extend the time prescribed for filing the annual report “for good cause shown.” Furthermore, Rule 4 CSR 240-2.050 (3) provides that when a Commission rule requires that an act be done within a specified time, the Commission, at its discretion, may, after the expiration of the specified period, permit the act to be done where the failure to act was the result of excusable neglect.

7. Upon reviewing the Company’s request, the Staff concludes that Raytown Water Company has demonstrated good cause for the granting of an extension of the time to file its annual report.

8. The Staff notes that the Company’s Application does not comply with the requirements of Rule 4 CSR 240-2.060 (1) in the following respects: it does not include the Company’s electronic mail address or fax number, as required by Paragraph (A); it does not include a Certificate of Good Standing, as required by Paragraph (B); it does not include a statement regarding actions, judgments or decisions against the Company, as required by Paragraph (K); and it is not verified by affidavit under oath by an authorized officer of the corporation, as required by Paragraph (M). However, Rule 4 CSR 240-2.015 provides that a rule in 4 CSR 240-2 may be waived by the Commission for good cause. The Staff believes that good cause exists to waive the requirements of Rule 4 CSR 240-2.060 (1) that are cited above.

**WHEREFORE**, the Staff respectfully reports that it has no objection to an order granting Raytown Water Company an extension of time to file its annual report, until June 15,

2007, and asks that the Commission direct Raytown Water Company to attach the Commission's order in this case to its filing, whenever it takes place.

Respectfully submitted,

**/s/ Keith R. Krueger**

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or e-mailed to all counsel of record on this 1st day of May 2007.

**/s/ Keith R. Krueger**