

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

In the Matter of I.H. Utilities, Inc.,                     )  
Small Company Rate Increase                                 )

**File No. WR-2010-0048**

**FILING REGARDING MOTION TO MODIFY ORDER APPROVING DISPOSITION AGREEMENT**

COMES NOW the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), by and through Counsel, and in response to the Commission’s *Notice of Contested Case and Order Directing Filing* states:

1. On August 3, 2009, Staff filed the *Company/Staff Agreement Regarding Disposition of Small Water Company Revenue Increase Request* (“Agreement”).
2. On October 21, 2009, the Commission entered its *Order Approving Disposition Agreement and Tariff* (“Order”), in which it approved the Agreement, and ordered I.H. Utilities, Inc. (“I.H.”) to comply with the provisions of the Agreement.
3. On April 19, 2010, Staff filed its *Motion to Modify Order Approving Disposition Agreement*, which requested extension of the time for completion of Provisions (12)c., (13)a., and (14)b. of the Agreement by I.H..<sup>1</sup>

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<sup>1</sup> Provision (12) provides, in pertinent part that “[w]ithin three (3) months of the effective date of an order approving this Disposition Agreement, the Company will implement the following recommendations and provide documentation to support its actions to the Commission’s Auditing Manager: \*\*\* c. The Company will obtain adequate commercial insurance coverage on all of the Company’s business facilities. The Company will provide a copy of the insurance policy to the Auditing Manager when the policy is issued and will notify the Auditing Manager of any changes to the policy in the future.”

Provision (13) provides, in pertinent part that “[w]ithin three (3) months of the effective date of an order approving this Disposition Agreement, the Company will implement the following recommendations and provide proof of completion to the Manager of the Commission’s Water and Sewer Department (Water and Sewer Manager): a. The Company will have a survey completed of the land that contains all the wells, well buildings, storage tank, and chlorine building and any easements. In addition, the owners of the property will lawfully transfer any property not in the Company’s name to the Company and will provide copies of deeds to the Water and Sewer Manager as outlined above.”

Provision (14) provides, in pertinent part that “[w]ithin six (6) months of the effective date of an order approving this Disposition Agreement, the Company will implement the following recommendations and provide proof of completion to the Water and Sewer Manager: \*\*\* b. The Company will install a master meter in well two.”

4. On April 22, the Commission ordered Staff to “file a pleading stating whether any other party agrees with or stipulates to the Motion to Modify Order Approving Disposition Agreement.”

5. Staff hereby represents that it has contacted I.H., and that I.H. indicated its agreement with Staff’s *Motion to Modify Order Approving Disposition Agreement*.

6. Staff hereby represents that it has contacted the Office of the Public Counsel, and that the Office of the Public Counsel has indicated that it will file, in response to this pleading, a separate pleading indicating its position, per ordered paragraph 2. b. of the Commission’s *Notice of Contested Case and Order Directing Filing*.

WHEREFORE the Staff requests that the Commission accept this pleading in response to the Commission’s *Notice of Contested Case and Order Directing Filing*.

Respectfully submitted,

/s/ Sarah Kliethermes  
Sarah L. Kliethermes  
Legal Counsel  
Missouri Bar No. 60024

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#### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 18<sup>th</sup> day of May, 2010.

/s/ Sarah Kliethermes