

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

In the Matter of the Small Company Rate       )  
Increase Request of Mill Creek Sewers, Inc.    )

**Case No. SR-2005-0116**

**MOTION REGARDING FILING OF STATUS REPORT**

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and for its Motion Regarding Filing of Status Report ("Motion") states the following to the Missouri Public Service Commission ("Commission").

1.       On September 28, 2005, Mill Creek Sewers, Inc. ("Mill Creek" or "Company"), the Staff and the Office of Public Counsel ("OPC") filed their Second Supplemental Agreement Regarding Disposition of Small Company Rate Increase Request ("Second Supplemental Agreement"). As a part of the Second Supplemental Agreement, the Staff agreed to monitor, and offered to report on, Mill Creek's business operations on a monthly basis to ensure that the funds generated by Mill Creek's customer rates are used solely for the purposes specified in the agreement.

2.       On September 29, 2005, the Commission issued its **Order Approving Tariff and Agreement** ("09/29/05 Order"), by which it approved an increase in Mill Creek's monthly sewer rate from \$5.00 per customer per month to \$30.11 per customer per month, with the increased rate becoming effective on October 12, 2005. As a part of the 09/29/05 Order, the Commission also ordered the Staff to file monthly reports, as the Staff had offered to do in the Second Supplemental Agreement.

3.       On December 9, 2005, the Staff filed its first monitoring report as contemplated by the Commission's 09/29/05 Order. As a part of that filing, the Staff requested that its future

reports be due on or before the fifteenth of each month, until such time that the Commission determines that the reports are no longer needed.

4. Consistent with its December 9, 2005 filing, the Staff has filed monthly status reports on or before the fifteenth of each month, or on the first business day thereafter, with a total of twelve such reports having now been filed.

5. The Staff's next status report is due to be filed by December 15. However, due to the press of other Commission business involving the St. Louis Audit Department Staff, namely the AmerenUE rate case, the Staff will not be able to complete its monthly review of Mill Creek's business operations in time to meet this filing date. As a result, the Staff requests that the Commission grant it leave to not file the December status report.

6. The Staff will resume the filing of monthly status reports in January 2006, with the January report covering two months of activities, unless ordered otherwise by the Commission.

7. The Staff notes that each of its status reports filed to date have included the conclusion that Mill Creek has used the funds generated by its customer rates for the purposes specified in the Second Supplemental Agreement referenced in Paragraph 1 herein. Further, the Staff is not aware of any unusual developments regarding Mill Creek's operations that require the immediate attention of the Commission.

**WHEREFORE,** the Staff respectfully requests that the Commission issue an order granting the Staff leave to not file its December status report.

Respectfully Submitted,

/s/ **Keith R. Krueger**

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Missouri Public Service Commission

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of this Motion have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel and/or parties of record this 13th day of December 2006.

/s/ **Keith R. Krueger**