

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

In the Matter of the Joint Application of West 16th)
Street Sewer Company, W.P.C. Sewer Company,)
Village Water and Sewer Company, Inc. and)
Raccoon Creek Utility Operating Company, Inc.,) File No. SM-2015-0014
for Raccoon Creek to Acquire Certain Sewer)
Assets and, In Connection Therewith, Issue)
Indebtedness and Encumber Those Assets.)

**THE OFFICE OF THE PUBLIC COUNSEL’S REQUEST
FOR LOCAL PUBLIC HEARING**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Request for Local Public Hearing states as follows:

1. On July 14, 2014, a Joint Application was filed by West 16th Street Sewer Company (West 16th), W.P.C. Sewer Company (WPC), Village Water and Sewer Company, Inc. (Village) and Raccoon Creek Utility Operating Company, Inc. (Raccoon Creek) asking the Missouri Public Service Commission (Commission) to approve Raccoon Creek’s proposed purchase of substantially all of the sewer assets, including the Certificates of Convenience and Necessity, of West 16th, WPC and Village.
2. On September 30, 2014, the Staff of the Missouri Public Service Commission (Staff) filed a Recommendation to Conditionally Approve the Transfer of Assets and Issuance of a Certificate of Convenience and Necessity. In its filing, Staff recommended that the Commission conditionally approve the transfer of assets as requested, but with the addition of certain conditions as described in Staff’s attached Memorandum. Staff stated that it takes the position that the transfer of assets from the Sellers to Raccoon Creek is in the public interest, assuming Staff’s recommended conditions are imposed.

3. On October 10, 2014, Raccoon Creek filed its Response to Staff Recommendation objecting to several of the conditions recommended by Staff.

4. Affording customers the opportunity to speak to the Commission at a hearing is a critical part of the Commission's process to ensure that a proposed transfer of assets is just and reasonable.

5. In this case, customers are facing the prospect of having their sewer service transferred to newly formed entity with no prior experience running a Commission regulated utility. As referenced in Staff's Recommendation, there are grave concerns with the Joint Application. Public Counsel shares Staff's concern and agrees that only with the imposition of conditions would the transfer of assets to Raccoon Creek be in the best interest of the customers. Therefore, Public Counsel believes that customers should have the opportunity to voice their concerns to the Commission regarding these proposed purchases.

6. Additionally, Raccoon Creek has indicated it will make substantial, and costly, improvements to existing plant for all three of these sewer systems. Customers should have the opportunity to meet the potential owner of their sewer system and ask questions regarding future plans for their utility.

7. As a result, Public Counsel requests that the Commission schedule a local public hearing regarding the Joint Application. Public Counsel does not object to the Commission scheduling the hearing promptly, as long as customers are given sufficient notice.

WHEREFORE, Public Counsel respectfully submits its request.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 24th day of October 2014:

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