

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

In the Matter of the Small Company Rate	)	Case No. SR-2006-0379
Increase of Taneycomo Highlands, Inc.	)	Tariff No. YS-2006-0749

**RESPONSE TO ORDER, RESPONSE TO STAFF RECOMMENDATION,  
AND MOTION FOR LEAVE TO FILE OUT OF TIME**

COMES NOW the Office of the Public Counsel and for its Response to Order, Response to Staff Recommendation, and Motion for Leave to File Out of Time states as follows:

1. On May 19, 2006, the Commission issued an order that, *inter alia*, ordered Public Counsel to file, no later than June 16, a statement reflecting its position on the Disposition Agreement, and to file, no later than June 23, any response to the Recommendation that was to be filed by the Staff of the Commission on June 16.

2. In response to that order, Public Counsel hereby reaffirms its support of the Disposition Agreement.

3. On June 16, Staff filed a revised Recommendation in which it recommends that the Commission:

- approve the revised tariff sheet that Taneycomo Highlands, Inc. filed on April 3, 2006, to be effective for service rendered on and after July 1, 2006, or as soon thereafter as is possible;
- approve the Disposition Agreement submitted in this case;
- direct Taneycomo Highlands, Inc. to comply with the terms of the Disposition Agreement; and prescribe the depreciation rates set out on Attachment D to the Disposition Agreement.

4. In further response to the Commission's May 19 order, Public Counsel states that it concurs with Staff's revised recommendation.

5. Public Counsel is filing this response one business day after the June 16 deadline in order to be able to respond to the revised Staff recommendation and state Public Counsel's

position on the Disposition Agreement in one pleading. Administrative efficiency will be served and neither the parties nor the Commission will be harmed by this minor delay.

WHEREFORE, Public Counsel respectfully requests that the Commission accept this response to response to order out of time, accept this concurrence in Staff's recommendation, approve the revised tariffs sheets and Disposition Agreement in accordance with the Staff recommendation, direct Taneycomo Highlands, Inc. to comply with the terms of the Disposition Agreement, and prescribe the depreciation rates set out on Attachment D to the Disposition Agreement.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

**/s/ Lewis R. Mills, Jr.**

By: \_\_\_\_\_  
Lewis R. Mills, Jr. (#35275)  
Public Counsel  
P O Box 2230  
Jefferson City, MO 65102  
(573) 751-1304  
(573) 751-5562 FAX  
[lewis.mills@ded.mo.gov](mailto:lewis.mills@ded.mo.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 19<sup>th</sup> day of June 2006:

Office of General Counsel  
Missouri Public Service Commission  
200 Madison Street Suite 800  
PO Box 360  
Jefferson City MO 65102  
[GenCounsel@psc.mo.gov](mailto:GenCounsel@psc.mo.gov)

Richard W Moore  
Missouri Department of Natural Resources  
205 Jefferson St  
Jefferson City MO 65101  
[richard.moore@dnr.mo.gov](mailto:richard.moore@dnr.mo.gov)

Keith Krueger  
Missouri Public Service Commission  
200 Madison Street Suite 800  
PO Box 360  
Jefferson City MO 65102  
[Keith.Krueger@psc.mo.gov](mailto:Keith.Krueger@psc.mo.gov)

Judith Gurney  
Taneycomo Highlands Inc  
HC 2 Box 2086  
Shell Knob MO 65747  
[Judygurney@msn.com](mailto:Judygurney@msn.com)

**/s/ Lewis R. Mills, Jr.**

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