

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

In the Matter of Emerald Pointe Utility)	
Company for a Certificate of)	
Convenience and Necessity Authorizing)	
it to Construct, Install, Own, Operate,)	File No. SA-2012-0362
Control, Manage and Maintain a Sewer)	
System and Sewer Line in Taney)	
County, Missouri.)	

**THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE
TO STAFF’S RECOMMENDATION**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response to Staff’s Recommendation states as follows:

1. On May 1, 2012, Emerald Pointe Utility Company (Emerald Pointe or EPUC) filed an Application with the Missouri Public Service Commission (Commission), seeking a Certificate of Convenience and Necessity (CCN) for the authority to install, own, acquire, construct, operate, control, manage and maintain a sewer system and sewer line in Taney County, Missouri.
2. On June 22, 2012, the Staff of the Missouri Public Service Commission (Staff) filed a Recommendation requesting that the Commission issue an Order granting Emerald Pointe’s request subject to the conditions contained in Attachment A to Staff’s filing.
3. On June 29, 2012, Emerald Pointe filed its Response to Staff Recommendation stating that it has no objections to the conditions outlined in the Staff Recommendation.
4. Public Counsel now states that it has no opposition to Staff’s Recommendation and its suggested conditions, but to avoid confusion in the future would offer one suggestion pertaining to Attachment A.

5. On Page 5 of 7 of Attachment A, the following wording is found:

New Contribution In Aid of Construction (CIAC) Charge

There will also be an additional cost to future customers, which is a capacity charge of \$1,000 that will be paid by future customers to the Company and in turn paid to the City of Hollister as a onetime charge paid at the time a new connection is made. This does not impact existing customers, nor new customers who connect to EPUC's sewer system prior to the Pipeline Project being placed into service. Staff anticipates that this charge could be added into EPUC's tariff in the context of its next general rate case.

While the heading indicates the new charge to future customers would be a contribution in aid of construction, the body of the paragraph states that the charge is actually a capacity charge to be collected by Emerald Pointe and remitted to the City of Hollister. To avoid confusion regarding this charge, Public Counsel would suggest that any future tariffs filed by Emerald Pointe refer to this charge as a capacity charge not a contribution in aid of construction charge.

WHEREFORE, Public Counsel respectfully submits its Response.

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 29th day of June 2012:

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