

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
August 31, 2000**

**CASE NO: ST-2000-694; WT-2000-695**

**Office of the Public Counsel**

P.O. Box 7800  
Jefferson City, MO 65102

**Gary L. Smith**

Warren County Water and Sewer Company  
1248 Mimosa  
Foristell, MO 63348

**General Counsel**

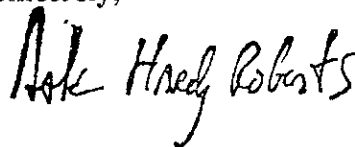
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Incline Village Board of Trustees**

1230 Fairway Drive  
Foristell, MO 63348

**Enclosed find certified copy of an ORDER in the above-numbered case(s).**

**Sincerely,**

A handwritten signature in cursive script that reads "Dale Hardy Roberts".

**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 31st  
day of August, 2000.

In the Matter of Warren County Water and	)	
Sewer Company's Tariff Designed to Increase	)	<b><u>Case No. ST-2000-694</u></b>
Connection Fees for Sewer Service.	)	Tariff No. 200000892

In the Matter of Warren County Water and	)	
Sewer Company's Tariff Designed to Increase	)	<b><u>Case No. WT-2000-695</u></b>
Connection Fees for Water Service.	)	Tariff No. 200000891

**ORDER REJECTING TARIFFS**

On April 28, 2000, in case number ST-2000-694, the Commission issued an order suspending a proposed sewer tariff filed by Warren County Water and Sewer Company (WCWS). The proposed sewer tariff would increase the connection fee for new sewer service connections from \$150 to \$550. Also on April 28, in case number WT-2000-695, the Commission issued an order suspending a proposed water tariff filed by WCWS. The proposed water tariff would increase the connection fee for new water service connections from \$300 to \$700. The Commission issued an order on June 30 that consolidated the two cases. Both of the proposed tariffs carried an effective date of April 30, and were suspended by the Commission for a period of 120 days beyond April 30, to August 28. Subsequently, on July 11, the tariffs were suspended for an additional 120 days, until December 26.

A prehearing conference was held on June 7. WCWS did not appear. On July 11, the Commission established a procedural schedule that directed WCWS to file its direct testimony in support of its tariffs on July 20. WCWS has not filed any testimony, nor has it requested an extension of time

in which to file such testimony. Indeed, WCWS has never responded in any fashion to the suspension of its tariffs.

4 CSR 240-2.090(5) permits the Commission to dismiss this action for WCWS' failure to appear for the prehearing conference. Furthermore, Section 393.150.2, RSMo 1996, establishes that WCWS has the burden of proving that its proposed rate increases are just and reasonable. By its failure to file direct testimony in support of its tariff, in violation of the procedural schedule established by the Commission, WCWS has failed to meet that burden. Therefore, the Commission will reject the proposed tariffs.

So that WCWS will have ample time to respond if it wishes to do so, this order will become effective in twenty days rather than the customary ten.

**IT IS THEREFORE ORDERED:**

1. That the tariffs issued by Warren County Water and Sewer Company on March 31, 2000 (tariff file numbers 200000891 and 200000892) and initially suspended for a period of 120 days beyond April 30, 2000 to August 28, 2000, and subsequently suspended for an additional 120 days beyond August 28, 2000 to December 26, 2000, are rejected.

2. That this order shall become effective on September 20, 2000.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Lumpe, Ch., Drainer, Murray, Schemenauer,  
and Simmons, CC., concur

Woodruff, Regulatory Law Judge

AL/Sec'y: Woodruff/Boyle  
 Date Circulated 8-25 ST-56 694  
 CASE NO. WT-2000-695  
JS  
 Lampe, Chair  
JS  
 Drainer, Vice Chair  
JS  
 Murray, Commissioner  
JS  
 Schenepaer, Commissioner  
JS  
 Simmons, Commissioner  
8-31  
 Agenda Date  
 Action taken: 5-045  
 Must Vote Not Later Than

STATE OF MISSOURI  
 OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and  
 I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,  
 Missouri, this 31<sup>st</sup> day of August 2000.

Dale Hardy Roberts  
 Dale Hardy Roberts  
 Secretary/Chief Regulatory Law Judge

