

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Application of Stoddard County)
Sewer Company, Inc., R.D. Sewer Co., L.L.C. and the)
Staff of the Missouri Public Service Commission for an) **Case No. SO-2008-0289**
Order Authorizing Stoddard County Sewer Co., Inc. to)
Transfer its Assets to R.D. Sewer Co., L.L.C., and for an)
Interim Rate Increase.)

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: April 25, 2008

Effective Date: April 25, 2008

On March 4, 2008,¹ Stoddard County Sewer Company, Inc. ("Stoddard County"), R.D. Sewer Co., L.L.C. ("R.D. Sewer") and the Staff of the Missouri Public Service Commission ("Staff") (together, the "Joint Applicants") filed a Joint Application for an order authorizing Stoddard County to transfer its assets to R.D. Sewer and to approve an interim rate increase. Stoddard County provides sewer service to approximately 172 customers (115 single family residences and 57 residential apartments) in the Ecology Acres and Western Heights subdivisions and Grant Apartments, all of which are located outside the city of Dexter, Missouri.

A prehearing conference was held on April 16, and the parties were directed to submit a proposed procedural schedule, which was filed on April 23. At the prehearing conference, the Commission instructed the parties that it would hold a live evidentiary hearing, without prefiled testimony. The post-hearing briefing schedule will be established

¹ All dates throughout this order refer to the year 2008 unless otherwise noted.

at a later date after the issues in the case become better known.

The Commission has reviewed the parties' proposed procedural schedule and finds it to be generally acceptable. The Commission finds that the following conditions should be applied:

(A) The parties shall agree upon and the Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing and the order in which they will be called, the order of cross-examination for each witness and the order of opening statements. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.

(B) The response and objection intervals for Data Requests shall be shortened to ten days for responses and five business days for objections.

(C) Each party shall file a statement of its position on each disputed issue. Such statement shall be simple and concise, and may not contain argument about why the party believes its position to be the correct one.

(D) The Commission will allow one round of post-hearing briefs.

(E) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(F) The Commission shall waive Rule 4 CSR 240-2.045(2) for the purposes of this proceeding and items filed electronically using the Commission's Electronic Filing and Information System shall be deemed timely filed if received by midnight of the date on which the filing is due.

(G) All parties are required to bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it should bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

(H) Each party may prepare and file proposed findings of fact and conclusions of law, including citations to testimony and other evidence, to be filed during the post-hearing briefing schedule.

(I) The Commission's standard practice is that hearing transcripts will be available no later than ten business days following the close of the hearing. If any party seeks to expedite the filing of the transcript, such request shall be tendered in writing to the Regulatory Law Judge at least five days prior to the date of the hearing.

The Commission recognizes that the foregoing schedule is dependent on the provision of the reports of the outside experts that the Commission plans to retain by no later than June 17, 2008. Consequently, the Commission adopts this procedural schedule with the caveat that this schedule may require future amendment.

IT IS ORDERED THAT:

1. The following procedural schedule is established:

Parties to file available documentation regarding security interests purportedly claimed by Clinton Enterprises or other known potential lienors	- May 1, 2008
Local Public Hearing in Dexter	- June 4, 2008
Identification of experts retained by the Master, And provision of reports of said experts to all Other parties in the case – Regulatory Law Judge Ben Lane, Appointed Master	- June 17, 2008
List of Issues, List of Witnesses, Order of	


- Witnesses, Order of Cross and Order of Opening Statements** - **June 24, 2008**
- Position Statements** - **June 27, 2008**
- Evidentiary Hearing** - **July 1-2, 2008, beginning at 8:30 a.m.**
- Briefing Schedule** - **To be determined**

2. The hearing will be held in the offices of the Missouri Public Service Commission at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

3. The parties are directed to comply with the conditions described in the body of this order.

4. This order shall become effective on April 25, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 25th day of April, 2008.