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**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 8th
day of January, 1998.

Steve and Bonnie Jones,)	
)	
Complainants,)	
)	
vs.)	<u>Case No. SC-97-375</u>
)	
Stoddard County Sewer Co., Inc.,)	
)	
Respondent.)	

ORDER DENYING REQUEST FOR REHEARING OR RECONSIDERATION

The Commission issued its Order Regarding Complaints on December 4, 1997, which ordered Complainants Steve and Bonnie Jones (Complainants) to pay past due amounts to Stoddard County Sewer Company (Respondent) in no more than twelve equal monthly installments. The Commission's order also prohibited disconnection of sewer service for as long as Complainants remain current on their payments and directed Respondent to update its tariff to refine its billing rules and practices with the assistance of the Staff of the Commission (Staff). The Commission's order became effective on December 16. Complainants failed to appear for the show cause hearing which was held on October 14, and Complainants did not file any response to the Respondent's pleading which was filed on October 23.

On the same day this case was closed, December 16, Complainants filed a letter requesting "an appeal or a hearing" on the Commission's decision.

The Commission has reviewed the letter filed by Complainants. Although the letter requests "an appeal or a hearing," it is, in essence, a request for rehearing or reconsideration under Commission rule 4 CSR 240-2.160. That rule requires that such request be filed prior to the effective date of the order. The Commission determines that the order issued by the Commission became final and conclusive before Complainants' request was received. Receipt by the Commission of an application for rehearing on the date that the order of the Commission becomes effective is not timely. State ex rel. Alton R. Co. v. Public Serv. Comm'n, 348 Mo. 780, 155 S.W.2d 149, 154 (1941). If the motion for rehearing is not timely filed, then the order and decision of the Commission has become final and conclusive. Id. Therefore, the Commission determines that the request of Complainants received at the Commission on December 16 was untimely and should be denied.

IT IS THEREFORE ORDERED:

1. That the request for appeal or hearing filed by Complainants Steve and Bonnie Jones on December 16, 1997, is hereby denied.
2. That this order shall become effective on January 8, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Murray,
and Drainer, CC., concur.

G. George, Regulatory Law Judge