

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

In the Matter of the Request for an)
Increase in Sewer Operating Revenues of)
Emerald Pointe Utility Company.) **File No. SR-2013-0016**

In the Matter of the Request for an)
Increase in Water Operating Revenues of)
Emerald Pointe Utility Company.) **File No. WR-2013-0017**

**THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE
TO PROPOSED TARIFFS**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response to Proposed Tariffs states as follows:

1. On July 24, 2013, Emerald Pointe Utility Company (Emerald Pointe) filed proposed revised tariff sheets with the Missouri Public Service Commission (Commission) designed to effectuate the decisions made by the Commission in the Report and Order for the above stated cases. The proposed revised tariff sheets bear an issue date of July 24, 2013, and an effective date thirty days thereafter (August 23, 2013).
2. Also on July 24, 2013, Emerald Pointe filed a Motion for Expedited Treatment of Tariff Sheets Filed in Compliance with Commission Report and Order. Emerald Pointe requested that grant the motion for expedited treatment in regard to the compliance tariff sheets that were filed by the Company on July 24, 2013, for service rendered on and after August 1, 2013.
3. On July 25, 2013, the Commission issued its Order Directing Staff to File Expedited Recommendation and Establishing Time for Other Parties to Offer Recommendations. In its Order, the Commission required Staff and any other party wishing to file a recommendation

regarding Emerald Pointe Utility Company's compliance tariffs, Tariff Nos. YW-2014-0035 and YS-2014-0036, to do so no later than July 30, 2013.

4. On July 25, 2013, Public Counsel filed its Objection to Motion for Expedited Treatment of Tariff Sheets Filed in Compliance with Commission Report and Order in the above stated cases.

5. On July 26, 2013, Public Counsel filed its Application for Rehearing and Request for Stay Order Pending Appeal, or in the Alternative, Order for a Separate Fund for Rate Increase and/or Any Back-Billing for Sewer Commodity Charges Subject to Refund.

6. On July 30, 2013, Public Counsel filed its response stating that its cursory review of the proposed sewer tariff and proposed water tariff revealed the necessity for Public Counsel to object to their approval by the Commission. As a result of Public Counsel's objection, Emerald Pointe filed substitute water and sewer tariff sheets on July 30, 2013.

7. Staff filed its Recommendation on July 30, 2013, stating that the tariffs filed in this case and pending in Tariff Tracking Nos. YW-2014-0035 and YS-2014-0036 comply with the terms of the Commission's Report and Order.

8. On July 31, 2013, the Commission denied Emerald Pointe's Motion for Expedited Treatment of Tariff Sheets Filed in Compliance with Commission Report and Order.

9. Public Counsel has reviewed Staff's Recommendation and all proposed tariff sheets, including the substitute tariff sheets, filed by Emerald Pointe and now states that the proposed tariff sheets adequately address the objections by Public Counsel submitted on July 30, 2013, and reflect the Report and Order issued by the Commission.

10. Public Counsel renews its request for a stay of the Report and Order for the reasons stated in its Application for Rehearing and Request for Stay Order Pending Appeal, or in the

Alternative, Order for a Separate Fund for Rate Increase and/or Any Back-Billing for Sewer
Commodity Charges Subject to Refund.

WHEREFORE, Public Counsel respectfully submits its Response.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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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 12th day of August 2013:

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