

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

In the Matter of the Application of Mid Mo)
Sanitation, LLC for a Small Company Rate) Case No. SR-2010-0095
Increase.)

**THE OFFICE OF THE PUBLIC COUNSEL'S REQUEST
FOR LOCAL PUBLIC HEARING**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Request for Local Public Hearing states as follows:

1. On September 11, 2009, Mid Mo Sanitation, LLC (Mid Mo) initiated a small company rate increase proceeding with the Missouri Public Service Commission (Commission) requesting an increase in its sewer rates of \$1 per year. Mid Mo initiated this rate increase request in compliance with the Commission's *Order Approving Stipulation and Agreement* in Case No. SA-2009-0319, in which the Commission ordered Mid Mo to file a small utility rate case pursuant to Commission Rule 4 CSR 240-3.050, within 90 days of the effective date of that order (June 13, 2009).
2. On April 9, 2010, the Staff of the Missouri Public Service Commission (Staff) filed a *Notice of Company/Staff Agreement Regarding Disposition of Small Sewer Company Revenue Increase Request* (Company/Staff Agreement) indicating agreement between Staff and Mid Mo for a sewer rate increase of \$3,721 annually (approximately 16.5%). Public Counsel did not join in the agreement.
3. Revised tariff sheets reflecting the proposed rates agreed to in the Company/Staff Agreement were filed by Mid Mo on April 14, 2010.

4. As the Company/Staff Agreement was executed by only Mid Mo and Staff, 4 CSR 240-3.050(15) requires Public Counsel to file a pleading stating its position regarding the Company/Staff Agreement and the related tariff revisions, or requesting a local public hearing or an evidentiary hearing no later than five (5) working days after the end of the comment period for the written customer notice contemplated in 4 CSR 240-3.050(14).

5. Affording customers the opportunity to speak to the Commission at a hearing is a critical part of the ratemaking process. According to the Company/Staff Agreement, customers are now being asked to bear more than a 16% annual increase when they were originally notified of a \$1 request by Mid Mo which would have had a negligible effect on their bills. Public Counsel believes it is important that the customers be provided a forum to present their comments on this significant change directly to the Commission. Therefore, Public Counsel requests that the Commission schedule a local public hearing to allow customer comments on the newly proposed increase.

6. Public Counsel does not object to the Commission scheduling the hearing promptly, as long as customers are given sufficient notice.

7. As stated above, 4 CSR 240-3.050(14) requires a written notice of the proposed tariff revisions no later than five (5) working days after the utility makes its tariff filing. To prevent the unnecessary duplicative costs of mailing a customer notice and a separate notice of local public hearing at a later date, Public Counsel is making its request for a local public hearing promptly and without delay. It is Public Counsel's hope that a combined notice will be sent to the customers of Mid Mo which notifies the customers of the proposed increase and provides information regarding an upcoming local public hearing where comments on that proposed increase may be provided directly to the Commission.

8. Consequently, in order to allow for the mailing of a combined proposed tariff notice and local public hearing notice, Public Counsel requests a waiver of the requirement that the written notice of the proposed tariff revisions be mailed no later than five (5) working days after the utility makes its tariff filing as contemplated in 4 CSR 240-3.050(14).

9. Therefore, in compliance with 4 CSR 240.3-050(15), Public Counsel requests that the Commission schedule a local public hearing in this matter. Additionally, Public Counsel requests a waiver of the requirement that the written notice of the proposed tariff revisions be mailed no later than five (5) working days after the utility makes its tariff filing as contemplated in 4 CSR 240-3.050(14).

WHEREFORE, Public Counsel respectfully submits its Local Public Hearing Request.

Respectfully submitted,

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/s/ Christina L. Baker

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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 15th day of April 2010:

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