

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of Timber Creek Sewer Company, Inc.'s) **Case No. SR-2008-0080**
Tariff Designed to Increase Rates for Sewer Service.) **Tariff No. YS-2008-0171**

ORDER ADOPTING PROCEDURAL SCHEDULE

Issue Date: November 7, 2007

Effective Date: November 7, 2007

On November 5, 2007, the Commission's Staff, on its own behalf and on behalf of Timber Creek Sewer Company, Hunt Midwest Real Estate Development, Inc., and the Office of the Public Counsel, submitted the Parties' Joint Statement of Issue and Proposed Procedural Schedule. The parties agree that the only remaining issue in this case is that of the sewer service connection fee of \$2,650 per connection, which Timber Creek proposed in the tariff filed on October 19, 2007.

The Commission finds the proposed procedural schedule reasonable and will adopt it. The following conditions shall apply to the schedule:

(A) The Commission will require that testimony be prefiled as defined in Commission Rule 4 CSR 240 2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.

(B) Testimony and schedules for which a claim of confidentiality is made shall be filed in accordance with Commission Rule 4 CSR 240-2.135. Any testimony or schedule not so filed will be considered public information.

(C) The parties shall file statements of position as set out below.

(D) The parties shall agree upon and Staff shall file a list of the witnesses to appear, the order in which they will be called, and the order of cross-examination for each witness.

(E) Pleadings and briefs shall be filed in accordance with 4 CSR 240-2.080, unless otherwise ordered. The briefs must set forth and cite the proper portions of the record or testimony concerning the issue to be decided by the Commission.

(F) 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 been prefiled, only one copy of the exhibit is necessary for the court reporter. 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.

(G) 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.

(H) The parties shall file one round of simultaneous posthearing briefs unless otherwise ordered or unless the parties agree upon oral arguments in lieu of briefs.

(I) Parties may prepare and file proposed findings of fact and conclusions of law, including citations to testimony and other evidence. Proposed findings of fact and conclusions of law, if filed, shall be due on the same date as the party's brief.

IT IS ORDERED THAT:

1. The following procedural schedule is adopted:

Direct testimony, Timber Creek
and Staff

December 14, 2007

Rebuttal testimony, Hunt and OPC

January 15, 2008

Surrebuttal testimony, all parties

February 8, 2008

Parties file statements of position,
proposed order of opening statements,
proposed order of witnesses, and
proposed order of cross-examination

February 15, 2008

Evidentiary hearing

February 28, 2008
9:00 a.m.

2. The hearing shall be held in the Commission's offices in the Governor Office Building, 200 Madison Street, Room 310, Jefferson City, Missouri. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Anyone needing additional accommodations to participate in the hearing is asked to call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

3. This order shall become effective on November 7, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 7th day of November, 2007.