

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

In the Matter of the Small Company Rate     )  
Increase Request of Timber Creek Sewer     )     Case No. SR-2008-0080  
Company.     )

**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 March 22, 2007, Timber Creek Sewer Company (Timber Creek or Company) submitted to the Missouri Public Service Commission (Commission) a request for an increase of \$120,000 in its total annual sewer service operating revenues and for an increase in its Contribution in Aid of Construction (CIAC) connection fee from \$1,600 to \$3,200.
2. On April 6, 2007, the customers were given notice that Timber Creek was seeking a \$120,000 (approximately 32.24%) increase in its annual sewer operating revenues.<sup>1</sup> The notice included a table explaining the impact listing the type of charge, current rates, proposed rates and percentage increase. Customers were thereby notified that, if Timber Creek received its proposed increase of \$120,000 annually from the Commission, their Total Monthly Bill would see a 32.24% increase.
3. On September 25, 2007, the Staff of the Missouri Public Commission (Staff) filed its Notice of Agreement Regarding Disposition of Small Company Rate Increase Request. This filing contained a Company/Staff Agreement Regarding Disposition of Small Sewer Company

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<sup>1</sup> *Initial Customer Notice*, Filed 4-9-2007, MO PSC Tracking File No. QS-2007-0008.

Revenue Increase Request (Company/Staff Agreement) which was entered into by Timber Creek and Staff. Public Counsel was not a signatory to the Company/Staff Agreement.

4. The Company/Staff Agreement states that Staff's audit of the books and records of Timber Creek indicated an increase in revenue requirement of \$129,837 which is \$9,837 more than Timber Creek requested. The Company/Staff Agreement also states that "Based on the action of the Staff and Commissions for the past 27, years, Staff was of the opinion it would file an increase in revenue recommendation in this case of \$120,000 which is the amount of revenue increase requested by the Company. However, the Commission's General Counsel has made a decision that the recommended rate increase in this case should be \$129,837 which is more than the Company requested."<sup>2</sup>

5. Due to the fact that a rate increase of such a large magnitude is under consideration and because customers had no notice that rate increases proposed by the Staff or the Commission's General Counsel could exceed those requested by the sewer utility in its filing and in the published customer notice, affording customers the opportunity to speak to the Commission at a hearing is a critical part of the process. Therefore, pursuant to 4 CSR 240-3.330, Public Counsel requests a local public hearing.

6. Public Counsel requests that the local public hearing be held at a time and location convenient for customers to attend.

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

**WHEREFORE,** Public Counsel respectfully requests that the Commission schedule a local public hearing.

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<sup>2</sup> *Notice of Agreement Regarding Disposition of Small Company Rate Increase Request*, Appendix A, Company/Staff Agreement Regarding Disposition of Small Sewer Company Revenue Increase Request, Pg. 2.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

**/s/ Christina L. Baker**

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 28<sup>th</sup> day of September 2007:

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**/s/ Christina L. Baker**

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