

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

|                                             |                              |
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| In the Matter of the Application of Ozark ) |                              |
| Meadows, Aqua Development Company, )        |                              |
| dba Aqua Missouri, Inc. Request for )       | <b>Case No. SR-2010-0023</b> |
| Increase in Annual Sewer System )           |                              |
| Operating Revenues MPC Sewer Utility )      |                              |
| Small Company Rate Increase Procedures. )   |                              |

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| In the Matter of Aqua RU, Inc. dba Aqua ) |                              |
| Missouri Request for Increase in Annual ) |                              |
| Water System Operating Revenues MPSC )    | <b>Case No. WR-2010-0025</b> |
| Water Utility Small Company Rate )        |                              |
| Increase. )                               |                              |

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| In the Matter of Aqua Missouri, Inc (CU) ) |                              |
| Request for Increase in Annual Sewer )     |                              |
| System Operating Revenue MPSC Sewer )      | <b>Case No. SR-2010-0026</b> |
| Utility Small Company Rate Increase )      |                              |
| Procedures. )                              |                              |

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|--------------------------------------------|------------------------------|
| In the Matter of Aqua Missouri, Inc (CU) ) |                              |
| Request for an Increase in the Annual )    |                              |
| Water System Operating Revenues MPSC )     | <b>Case No. WR-2010-0027</b> |
| Water Utility Small Company Rate )         |                              |
| Increase Procedures. )                     |                              |

**THE OFFICE OF THE PUBLIC COUNSEL’S REQUEST  
FOR LOCAL PUBLIC HEARINGS**

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

1. On July 15, 2009, Aqua Development Company, dba Aqua Missouri, Inc.; Aqua RU, Inc., dba Aqua Missouri; and Aqua Missouri, Inc. (CU) (collectively referred to as “Aqua”) filed the above stated small company rate increase requests, seeking increases in the water and sewer rates for various service territories.

2. On December 16, 2009, the Staff of the Missouri Public Service Commission (Staff) filed a Notice of Agreement Regarding Disposition of Small Company Revenue Increase Request in each of the above stated cases (Company/Staff Agreements) indicating agreements between Staff and Aqua. Public Counsel did not join in the agreements.

3. Revised tariff sheets reflecting the proposed rates agreed to in the Company/Staff Agreements were filed by Aqua on December 17, 2009.

4. As the Company/Staff Agreements were executed by only Aqua and Staff, 4 CSR 240.3-050(15) requires Public Counsel to file a pleading stating its position regarding the Company/Staff Agreements 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 Missouri Public Service Commission (Commission) at a hearing is a critical part of the ratemaking process. According to the Company/Staff Agreements, customers are being asked to bear significant increases in their utility rates. As it has been just over a year since Aqua's previous significant increases, Public Counsel believes that customers should have the opportunity to voice their concerns over the rapid rate of potential increases to their utility services.

6. Public Counsel also continues to have concerns regarding the quality of service and the sufficiency of customer service for this utility. Recently, Staff filed complaints against Aqua related to recordkeeping and customer service issues.<sup>1</sup> Therefore, Public Counsel believes customers should have the opportunity to comment on the quality of service and the sufficiency of the customer service provided by Aqua.

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<sup>1</sup> See Commission Case Nos. SC-2010-0150, WC-2010-0151, SC-2010-0152, and WC-2010-0153.

7. Therefore, Public Counsel now requests local public hearings in this case. Public Counsel recommends the following locations for the local public hearings:

- Jefferson City
- Reeds Spring
- Republic
- Sedalia
- Shell Knob
- Warsaw

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

9. 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 hearings promptly and without delay. It is Public Counsel's hope that a combined notice will be sent to the customers of Aqua which notifies the customers of the proposed increases and provides information regarding upcoming local public hearings where comments on the proposed increases may be provided directly to the Commission.

10. Consequently, in order to allow for the mailing of combined proposed tariff notices and local public hearing notices, 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).

11. Therefore, in compliance with 4 CSR 240.3-050(15), Public Counsel requests that the Commission schedule local public hearings in this matter. Additionally, Public Counsel requests a waiver of the requirement that the written notices 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 requests that the Commission schedule local public hearings as recommended above.

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 17<sup>th</sup> day of December 2010:

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