

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 RESCINDING REQUIREMENT TO FILE BRIEFS

Issue Date: October 19, 2007

Effective Date: October 19, 2007

On October 18, 2007, the Staff of the Missouri Public Service Commission, the Office of the Public Counsel, and Timber Creek Sewer Company, with acquiescence of Hunt Midwest Real Estate Development, Inc., requested that the order issued on October 16, 2007, directing that legal briefs be filed, be rescinded. As Staff explains in its motion, the issue of whether the Commission has authority in a small company rate case to authorize more revenue than originally requested by the company has been rendered moot by the filing of revised tariff sheets reducing the revenue requirement below that which was originally requested. Since the issue in this case is moot, the Commission shall rescind the requirement for briefs to be filed. All other portions of the Order Granting Intervention, Directing Filing of Briefs, and Denying Request for Oral Arguments issued on October 16, 2007, remain in effect.

IT IS ORDERED THAT:

1. The requirement to file legal briefs no later than October 22, 2007, is rescinded.

2. This order shall become effective on October 19, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

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 19th day of October, 2007.