

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 SETTING LOCAL PUBLIC HEARING, DIRECTING FILINGS,
AND RESERVING DATE FOR ORAL ARGUMENTS

Issue Date: October 5, 2007

Effective Date: October 5, 2007

On September 25, 2007, Timber Creek Sewer Company filed tariffs proposing to increase sewer service rates to customers in the company's service area. On September 28, 2007, the Office of the Public Counsel filed a request for a local public hearing.

The Commission has considered the Public Counsel's request and finds it reasonable. The Commission will set a local public hearing to give the public an opportunity to comment. At the hearing, the Staff of the Commission will hold an informal question-and-answer session beginning at 5:30 p.m.; the hearing will begin at 6:00 p.m. and will conclude when every person who wishes to testify has done so. In addition, the Commission will direct its Public Information Officer to place ads in the local newspapers publicizing the hearing.

The transcript for the local public hearing shall be expedited so that it is received no later than the third business day following the local public hearing. In addition, the

Public Counsel “shall file its pleading indicating its agreement or disagreement with the tariff sheet(s) within seven (7) days after the local public hearing,”¹ as directed below.

Furthermore, Public Counsel requested that the parties be directed to file briefs and present arguments regarding the issue of whether the Commission can legally authorize a rate which is more than the rate originally requested by the company. On October 4, 2007, Timber Creek filed suggestions in opposition to that request. Also, on October 4, 2007, Hunt Midwest Real Estate Development, Inc., filed an application to intervene and motion to suspend the tariff. The Commission will address these motions at a later date. Because the effective date of the tariff is November 1, 2007, however, the Commission shall reserve a date for potential oral arguments if they become necessary. In addition, the Commission shall shorten the time for responses to the application to intervene and motion to suspend.

IT IS ORDERED THAT:

1. The Commission shall hold a local public hearing on October 17, 2007, from 6:00 p.m. until 9:00 p.m., or until all persons who wish to testify have done so, whichever is sooner, at the Forum Room, Platte City Middle School, 900 Pirate Drive, Platte City, Missouri.

2. The local public hearing shall be held in a facility that meets the accessibility requirements of the Americans with Disabilities Act. Any person who needs additional accommodation to participate in the hearing should call the Public Service Commission’s Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

¹ 4 CSR 240-3.330(1)(E).

3. The transcript for the local public hearing shall be expedited so that it is received no later than the third business day following the local public hearing.

4. The Data Center of the Missouri Public Service Commission shall serve a copy of this order upon the county commissions of Clay and Platte Counties.

5. The Public Information Office of the Missouri Public Service Commission shall send a copy of this order to members of the General Assembly and to the media that serve the service areas of Timber Creek Sewer Company. In addition, the Public Information Officer of the Commission shall place ads with the local newspapers publicizing the event.

6. The Office of the Public Counsel shall file its pleading indicating its agreement or disagreement with the tariff sheets no later than October 24, 2007.

7. If oral arguments become necessary, they shall be held beginning at 1:00 p.m., October 19, 2007, in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a facility that meets the accessibility requirements of the Americans with Disabilities Act. Any person who needs additional accommodation to participate in the hearing should call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the oral arguments.

8. Any responses to the application to intervene and motion to suspend tariffs shall be filed no later than October 12, 2007.

9. This order shall become effective on October 5, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a faint, circular embossed seal.

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 5th day of October, 2007.