

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

In the Matter of the Hwy H Utilities, Inc's Small)	
Sewer Company Rate Increase Request)	<u>File No. SR-2009-0392</u>
)	
In the Matter of the Hwy H Utilities, Inc's Small)	<u>File No. WR-2009-0393</u>
Water Company Rate Increase Request)	

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through the undersigned counsel, and for its *Staff Recommendation* respectfully states to the Missouri Public Service Commission ("Commission") the following:

1. On January 4, 2010, Hwy H Utilities, Inc. ("Hwy H" or "Company") filed a *Motion For Expedited Treatment* for the same-dated proposed tariff sheets for sewer (YS-2010-0437) and water (YW-2010-0438) service, which the Commission authorized the Company to file in its December 23, 2009 *Order Approving Stipulation and Agreement*

2. On January 5, 2010, the Commission issued an order that directed the Office of Public Counsel (OPC) and the Staff to file recommendations on whether the water and sewer tariff sheets comply with the December 11, 2009 *Stipulation and Agreement (Agreement)* entered into by the OPC and Hwy H.

3. The Commission's *Order Approving Stipulation and Agreement* is correct in stating that the Staff did not join in the OPC and Hwy H *Agreement*, but further, the Staff was not involved in the negotiating of terms that are presented in the filed OPC and Hwy H *Agreement*. While not involved in the negotiations, the Staff provided assistance to the Company to help determine the appropriate tariffed rate and believes that the tariff sheets comply with the *Agreement*. See *Affidavit Of James M. Russo* attached hereto

WHEREFORE, the Staff submits this recommendation for the Missouri Public Service Commission's information and consideration.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez
Staff Legal Counsel
Missouri Bar No. 59814

Attorney for the Staff of the
Missouri Public Service Commission
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail on Dean L. Cooper, attorney for Highway H Utilities, Inc., at dcooper@brydonlaw.com; and The Office of Public Counsel at opcservice@ded.mo.gov this 11th day of January, 2010.

/s/ Jennifer Hernandez

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

AFFIDAVIT OF JAMES M. RUSSO

In the Matter of the Hwy H Utilities, Inc's Small)
Sewer Company Rate Increase Request)

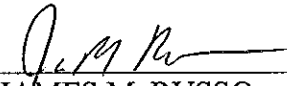
File No. SR-2009-0392

In the Matter of the Hwy H Utilities, Inc's Small)
Water Company Rate Increase Request)

File No. WR-2009-0393

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

JAMES M. RUSSO—Staff Rate and Tariff Examination Supervisor, being of lawful age, and on oath states: (1) that he has reviewed and examined the sewer and water service tariff sheets filed by Hwy H Utilities, Inc., on January 4, 2010; (2) that he has knowledge of the matters set forth in the above-stated causes and in the foregoing tariff sheets; and (3) that to the best of his knowledge, information, and belief the tariff sheets comply with the Missouri Public Service Commission's December 23, 2009 *Order Approving Stipulation And Agreement* and the December 11, 2009 *Stipulation and Agreement* entered into by the Missouri Office of Public Counsel and Hwy H Utilities, Inc.



JAMES M. RUSSO

Subscribed and sworn to before me this 11th day of January 2010.



Notary Public

My commission expires 9-21-10



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086