

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 3<sup>rd</sup> day of June, 2009.

In the Matter of Mid MO Sanitation, LLC's )  
Application for a Certificate of Convenience and )  
Necessity Authorizing It to Own, Operate, )  
Maintain, Control, and Manage, a Sewer )  
System in Callaway County, Missouri. )

**File No. SA-2009-0319**

**ORDER APPROVING STIPULATION AND AGREEMENT**

Issue Date: June 3, 2009

Effective Date: June 13, 2009

On March 6, 2009, Mid MO Sanitation LLC filed an application seeking a certificate of convenience and necessity to own, operate, maintain, control, and manage a sewer system in Callaway County, Missouri. On May 21, 2009, Mid MO, Staff, and the Office of the Public Counsel filed a unanimous stipulation and agreement regarding Mid MO's application.

The Commission's review of the stipulation and agreement shows that the parties have stipulated to certain facts and waived their right to a hearing. Because the parties have agreed to these facts, the Commission accepts them as true and adopts them as stipulated.<sup>1</sup> The stipulation and agreement indicates all parties agree that Mid MO's application for a certificate of convenience and necessity is in the public interest and advise the Commission to approve that application. Furthermore, the parties agree that Mid MO's annual revenue requirement should be established at \$22,500. The agreed-upon revenue

requirement will result in a flat customer charge of \$64.66 per month for residential customers and \$96.98 per month for commercial customers. Mid MO agrees to file a tariff reflecting the agreed-upon annual revenue requirement and customer charges by June 1, to be effective July 1. The parties also agree that the annual revenue requirement and the agreed-upon rates are to be interim and subject to a customer refund depending upon the results of a small utility rate case. Finally, the parties agree that Mid-MO is to commence a small utility rate case proceeding within 90 days of the Commission's approval of the stipulation and agreement.

After reviewing the unanimous stipulation and agreement and the undisputed facts described in Staff's recommendation, the Commission finds the stipulation and agreement to be reasonable. The Commission will approve the stipulation and agreement. Based on that stipulation and agreement, the Commission concludes that Mid MO's request for authority to own and operate a sewer system is necessary or convenient for the public service.

**THE COMMISSION ORDERS THAT:**

1. The unanimous stipulation and agreement filed on May 21, 2009, is approved. A copy of the stipulation and agreement is attached to this order.
2. The signatory parties are ordered to comply with the terms of the stipulation and agreement.
3. Mid MO Sanitation, LLC's annual revenue requirement is established as \$22,500, subject to a customer refund or credit based on the results of a small utility rate case.

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<sup>1</sup> *Buckner v. Buckner*, 912 S.W.2d 65,70 (Mo. App. W.D. 1995)

4. Mid MO Sanitation, LLC, shall implement a flat customer charge of \$64.66 per month for residential customers and \$96.98 per month for commercial customers.

5. Mid MO Sanitation, LLC, shall file a proposed tariff, with a 30-day effective date, reflecting the ordered annual revenue requirement and customer charges.

6. Mid MO Sanitation, LLC, shall file a small utility rate case pursuant to Commission Rule 4 CSR 240-3.050 within 90 days of the effective date of this order.

7. This order shall become effective on June 13, 2009.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Clayton, Chm., Davis, Jarrett,  
and Gunn, CC., concur.

Woodruff, Deputy Chief Regulatory Law Judge