

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the matter of the Highway H Utilities, Inc.'s)
Small Sewer Company Rate Increase) **File No. SR-2009-0392**
Request) Tariff No. YS-2010-0233

In the Matter of the Highway H Utilities, Inc.'s)
Small Water Company Rate Increase) **File No. WR-2009-0393**
Request) Tariff No. YW-2010-0235

ORDER SUSPENDING TARIFF AND SETTING HEARINGS

Issue Date: November 12, 2009

Effective Date: November 12, 2009

On April 30, 2009, Highway H Utilities, Inc. initiated a small company rate increase proceeding with the Missouri Public Service Commission. On September 23, 2009, the Staff of the Missouri Public Service Commission filed a notice of an agreement between it and the company. The Office of the Public Counsel, the only other party to the case, did not join in that agreement. Rather, Public Counsel requested that the Commission hold a local public hearing or in the alternative, an evidentiary hearing. In its request, Public Counsel stated that the agreement overstates the company's revenue requirement. Further, Public Counsel expressed concerns that plant, already paid for by the customers through the purchase price of lots, has been included in the proposed rates.

The company filed a tariff on September 28 reflecting the agreement entered into with Staff. The tariff has an effective date of November 16. Because there is not sufficient time, prior to November 16, to hold a local public hearing, the Commission must suspend the company's tariff. Further, the Commission will reserve dates for an evidentiary hearing.

This rate case was opened on April 30, 2009. Under Commission rule 4 CSR 240-3.050 (24), this case must be submitted to the Commission no later than January 30, 2010, and the Commission's order disposing of this matter must be effective no later than March 30, 2010. The Commission will therefore reserve immediate dates for an evidentiary hearing. Because this matter must be heard and disposed of quickly, there will be no prefiled testimony or prehearing briefs. Rather, the Commission will require the parties, through Public Counsel, to file a list of issues.

THE COMMISSION ORDERS THAT:

1. The proposed tariff sheet, Tariff File No. YS-2010-0233, submitted on September 28, 2009, is suspended until March 30, 2010. The specific sheet suspended is:

P.S.C. MO No. 1
1st Revised Sheet No. 5, cancelling Original Sheet No. 5

2. The proposed tariff sheets, Tariff File No. YW-2010-0235, submitted on September 28, 2009, are suspended until March 30, 2010. The specific sheets suspended are:

P.S.C. MO No. 1
1st Revised Sheet No. 4, cancelling Original Sheet No. 4
1st Revised Sheet No. 5, cancelling Original Sheet No. 5
1st Revised Sheet No. 7, cancelling Original Sheet No. 7

3. A local public hearing shall be held on December 17, 2009, beginning at 6:00 p.m. in the Meeting Room at Waynesville Technical Academy, 400 G W Lane, Waynesville, Missouri 65593. A question-and-answer session will be held before the hearing, beginning at 5:30 p.m.

4. December 21st and 22nd, 2009, are reserved for an evidentiary hearing. If held, the hearing shall be in Room 310 of the Governor Office Building, 200 Madison

Street, Jefferson City, Missouri. The Office of the Public Counsel shall file a list of issues no later than 12:00 p.m. on December 18, 2009.

5. The hearings 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.

6. On December 1, 2009, Highway H Utilities, Inc. shall mail notice of this hearing consistent with this order; said notice being approved by the Staff of the Commission and the Office of the Public Counsel before it is mailed, as required by Commission rule 4 CSR 240-3.050(18). Staff shall file a copy of the notice in this docket.

7. Customers wishing to make written comments or secure additional information may contact the Office of the Public Counsel, Post Office Box 2230, Jefferson City, Missouri 65102; telephone (573) 751-4857. Comments may also be submitted by using the Internet Electronic Filing System at <http://psces/mpsc/>. Use the link to the "Public Comment" section and fill in all required fields on the comment page.

8. The Data Center of the Missouri Public Service Commission shall serve a copy of this order upon the county Commission of Pulaski County, Missouri

9. The Public Information Office of the Missouri Public Service Commission shall make notice of this order available to members of the General Assembly representing the residents in the service area of Highway H Utilities, Inc., and to the news media serving the residents of that service area.

10. No later than December 22, 2009 the Staff of the Missouri Public Service Commission shall file a pleading in compliance with Commission rule 4 CSR 240-3.050(19).

11. No later than December 27, 2009 the Office of the Public Counsel shall file a pleading in compliance with Commission rule 4 CSR 240-3.050(19).

12. This order shall become effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 12th day of November, 2009.