

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

In the Matter of the Application of Lincoln)
County Sewer & Water, LLC for Approval)
of a Rate Increase.)

File No. SR-2013-0321

**THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE TO STAFF’S
RECOMMENDATION TO APPROVE COMPLIANCE TARIFFS**

COMES NOW the Office of the Public Counsel and for its Response to Staff’s Recommendation to Approve Compliance Tariffs states as follows:

1. On July 23, 2014, the Missouri Public Service Commission (Commission or PSC) issued its Order Regarding Motion to Establish Rate Case Expense requiring the parties to file tariff sheets consistent with that Order and the Report and Order issued on April 2, 2014.
2. On July 30, 2014, Lincoln County Sewer and Water (LCSW) filed proposed tariff sheets containing an effective date of September 1, 2014. In its filing, LCSW requested the Commission issue an Order allowing the proposed tariff sheets to go into effect on August 19, 2014.
3. On August 6, 2014, the Staff of the Missouri Public Service Commission (Staff) filed its Recommendation to Approve Compliance Tariffs stating that Staff had examined the proposed tariffs and determined they are in compliance with the Commission’s July 23, 2014, Order and its April 2, 2014, Report and Order, and “are in all other respects just, reasonable and compliant with applicable statutes and regulations.”
4. Public Counsel has also reviewed the proposed tariffs and notes that the proposed rates are calculated based on the inclusion of the FY 2014 PSC Assessment.

5. On June 19, 2014, the Commission issued its Fiscal Year 2015 Assessment Order approving the new assessment to be paid by utilities. In its Fiscal Year 2015 Assessment the Commission instituted a change in methodology for calculating the Assessments for water and sewer utilities. This methodology change for the Fiscal Year 2015 PSC Assessment resulted in a lowering of the overall Assessment for LCSW by the amount of \$1,426.19.

6. As a result of this change, on July 30, 2014, Public Counsel asked the Commission to clarify its July 23, 2014, Order to provide guidance to the parties as to whether the Commission intended the parties to utilize the FY 2014 PSC Assessment applicable at the time of the evidentiary hearing or the current FY 2015 PSC Assessment applicable at the time of the July 23, 2014, Order in the calculation of rates. At this time, the Commission has not responded to Public Counsel's clarification request.

WHEREFORE, Public Counsel respectfully submits its Response.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 6th day of August 2014:

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