

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 26th day of April, 2005.

In the Matter of the Request of LW Sewer Corporation for a Rate Increase Pursuant to the Commission's Small Company Rate Increase Procedure)	
)	<u>Case No. SR-2005-0338</u>
)	Tariff No. YS-2005-0897
)	

ORDER SUSPENDING TARIFF

Syllabus: This order suspends LW Sewer Corporation's tariff for 30 days.

On March 31, 2005, after working with the Commission's Staff and the Office of the Public Counsel, LW Sewer filed a tariff designed to increase its rate for sewer service. LW Sewer also filed a letter requesting that the Commission approve its revised tariff sheets for an increase in its sewer service rates and the *Agreement Regarding Disposition of Small Company Rate Increase Request*.

On April 15, Staff filed its Notice of Agreement Regarding Disposition of Small Company Rate Increase Request. On April 20, Staff filed its Motion to Suspend Tariff.

Staff stated that LW Sewer had not yet submitted its 2004 Annual Report, which was due on April 15. According to Staff's motion, LW Sewer informed Staff that it had mailed that report on April 14. Staff moves the Commission to suspend the tariff until May 31 to allow LW Sewer additional time to file the report.

In support of its motion, Staff refers to Commission Rule 4 CSR 240-3.330(1)(A). That rule requires a sewer company that uses the Commission's small company rate

increase procedure to include a statement that its current annual report is on file with the Commission.

The Commission finds Staff's motion to be reasonable, and will grant it.

IT IS THEREFORE ORDERED:

1. That the Staff of the Commission's Motion to Suspend Tariff is granted.
2. That the following tariff sheets filed by LW Sewer Corporation, and assigned Tariff File No. YS-2005-0897, are suspended until May 31, 2005, or until otherwise ordered by the Commission:

P.S.C. MO No. 1

5th Revised Sheet No. 4, Canceling 4th Revised Sheet No. 4
2nd Revised Sheet No. 4A, Canceling 1st Original Sheet No. 4A

3. That this order shall become effective on April 26, 2005.

BY THE COMMISSION

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Davis, Chm., Gaw, Clayton and Appling, CC., concur
Murray, C., absent

Pridgin, Regulatory Law Judge