

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

In the Matter of a Rate Increase Request of     )  
House Springs Sewer Company.                     )     **Case No. SR-2012-0399**

**THE OFFICE OF THE PUBLIC COUNSEL'S REQUEST  
FOR EVIDENTIARY HEARING**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Request for Evidentiary Hearing states as follows:

1.     On May 30, 2012, House Springs Sewer Company, Inc. (House Springs) initiated a small company rate increase proceeding with the Missouri Public Service Commission (Commission) requesting an increase of \$125,000 (approximately 25%) in its total annual sewer service operating revenues.
2.     On October 29, 2012, the Staff of the Missouri Public Service Commission (Staff) filed a *Notice of Company/Staff Agreement Regarding Disposition of Small Company Rate Increase Request* (Company/Staff Agreement) indicating agreement between Staff and House Springs for a proposed sewer rate increase of \$143,929 (approximately 29.7%). Public Counsel did not join in the agreement.
3.     Revised tariff sheets reflecting the proposed rates agreed to in the Company/Staff Agreement were filed by House Springs on November 1, 2012.
4.     On January 7, 2013, a local public hearing was held to allow customers to comment on the proposed rate increase.
5.     4 CSR 240-3.050 (19) requires Public Counsel to file, no later than ten (10) working days after the local public hearing, a pleading stating its position regarding the Company/Staff

Agreement and the related tariff revisions, or requesting that the Commission hold an evidentiary hearing, and providing the reasons for its position or request. 4 CSR 240-3.050 (20) states that if Public Counsel requests an evidentiary hearing, the request shall include a specified list of issues that the Public Counsel believes should be the subject of the hearing.

6. Public Counsel now requests an evidentiary hearing. Public Counsel states that although Public Counsel agrees with many of Staff's audit positions, Public Counsel has concerns regarding the following issues which it believes should be the subject of an evidentiary hearing:

- Appropriate accumulated deferred income tax balance
- Appropriate return on equity

7. Public Counsel, Staff and the utility have been in active discussion regarding Public Counsel's concerns. Public Counsel now states that it believes a resolution will soon be achieved and adjustments may be agreed upon and filed with the Commission without the need for an evidentiary hearing on these issues. However, Public Counsel does not wish to waive its right to an evidentiary hearing should a resolution not come to fruition.

8. Therefore, pursuant to the requirements in 4 CSR 240-3.050 (19) and (20), Public Counsel now requests that an evidentiary hearing be held on these issues. Public Counsel also states that, should adjustments be agreed upon and filed with the Commission, Public Counsel will withdraw its evidentiary hearing request.

**WHEREFORE,** Public Counsel respectfully submits its request.

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 22<sup>nd</sup> day of January 2013:

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**/s/ Christina L. Baker**

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