

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

In the Matter of a Requested Rate Increase for)	
Annual Sewer Operating Revenues by Hickory)	File No. SR-2014-0166
Hills Water & Sewer.)	

In the Matter of a Requested Rate Increase for)	
Annual Water Operating Revenues by Hickory)	File No. WR-2014-0167
Hills Water & Sewer.)	

**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 December 2, 2013, Hickory Hills Water & Sewer (Hickory Hills) initiated the above
stated small company rate increase proceedings with the Missouri Public Service Commission
(Commission) requesting a \$6,248 (approximately 25%) increase in its annual sewer system
operating revenues and a \$4,525 (approximately 25%) increase in its annual water system
operating revenues.
2. On July 7, 2014, the Staff of the Missouri Public Service Commission (Staff) filed in
each case stated above a *Company/Staff Agreement Regarding Disposition of Hickory Hills
Water and Sewer Revenue Increase Request* (Company/Staff Agreements) indicating agreement
between Staff and Hickory Hills for an annualized operating revenue increase for sewer of
\$41,640 (172.47%) and an annualized operating revenue increase for water of \$14,472 (65.75%).
Public Counsel did not join in the agreements. Public Counsel did not join in the agreements.

3. Revised tariff sheets reflecting the proposed rates agreed to in the Company/Staff Agreements were filed by Hickory Hills on July 14, 2014, bearing an effective date of September 1, 2014.
4. On July 15, 2014, in compliance with 4 CSR 240.3-050(15), Public Counsel filed a Request for Local Public Hearing. In its filing Public Counsel requested that the Commission: (1) schedule a local public hearing; (2) suspend the proposed revised tariff sheets for a sufficient period to allow adequate time for a local public hearing and subsequent case disposition as appropriate; and (3) grant a waiver of the requirement that the written notice of the proposed tariff revisions be mailed no later than five working days after the utility makes its tariff filing to allow for the mailing of a combined proposed tariff notice and local public hearing notice.
5. On July 15 2014, the Commission granted Public Counsel's requests to convene a local public hearing, to waive time limit, and to combine notices. However, the Commission made no ruling as to Public Counsel's request to suspend the proposed tariffs.
6. On August 11, 2014, a local public hearing was held to allow customers to comment on the proposed rate increases.
7. 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 Dispositions 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.
8. Public Counsel now states that it does not agree with the Company/Staff Agreements and requests an evidentiary hearing on its issues in these cases. Pursuant to 4 CSR 240-3.050 (20),

Public Counsel offers the Direct Testimony of Ms. Keri Roth which sponsors and presents Public Counsel's audit results of Hickory Hills and details its position on the specific issues Public Counsel believes should be the subject of the evidentiary hearing.

9. 4 CSR 240-3.050 (20) also states that, upon an evidentiary hearing request, the utility's pending tariff revisions shall then be suspended by the Commission to allow time to conduct an evidentiary hearing, complete any post-hearing procedure, and allow time for a Commission decision within the timeframe of the small company rate case. As the completion of these activities will extend past the proposed tariffs' effective date of September 1, 2014, Public Counsel renews its request that the proposed tariffs be suspended for a sufficient timeframe beyond September 1, 2014, so as to allow adequate time for the evidentiary hearing and subsequent case disposition.

WHEREFORE, Public Counsel respectfully requests that the Commission schedule an evidentiary hearing in this matter and suspend the proposed tariffs to allow adequate time for the evidentiary hearing and subsequent case disposition.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

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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 22nd day of August 2014:

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