

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

In the Matter of a Small Utility)
Rate Case Procedure for Rogue) **SR-2013-0435**
Creek Utilities, Inc.)

In the Matter of a Small Utility)
Rate Case Procedure for Rogue) **WR-2013-0436**
Creek Utilities, Inc.)

JOINT STAFF AND COMPANY REQUEST FOR ARBITRATION

COME NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and Rogue Creek Utilities, Inc. (“Rogue Creek” or “the Company”) and state as follows:

1. On March 27, 2013, the Missouri Public Service Commission (Commission) received a letter from Rogue Creek Utilities, Inc. (the Company), operating under the control of its receiver, Johansen Consulting Services, requesting Commission approval of an increase of \$48,565.00 in its annual sewer system operating revenues and an increase of \$40,425.00 in its annual water system operating revenues, pursuant to Commission Rule 4 CSR 240-3.050, Small Utility Rate Case Procedure. The Company’s requests for its sewer and water operations were assigned Commission Case Nos. SR-2013-0435 and WR-2013-0436, respectively.

2. On August 23, 2013, Staff filed a *Motion for Extension of Time*, notifying the Commission of an agreement between Staff and the Company that the timelines for these cases be extended by sixty days, which set the deadline for a Company/Staff agreement at October 23, 2013.

3. Unfortunately, Staff and Rogue Creek have been unable to reach an agreement regarding resolution of the Company’s request at this time. Because of this,

and by the Company's request, Staff hereby requests this case be resolved by arbitration, pursuant to Commission Rule 4 CSR 240-3.050. The Company has represented to Staff that arbitration is its preference so that it may proceed without assistance of counsel, which it believes is unnecessary since the unresolved issues in this case are not significant, only unresolved.

4. Considering the timeline approved in this case, which sets February 27, 2014 as the deadline by which the Commission should enter an order, Staff requests that a procedural conference be scheduled as soon as possible to discuss how this case will proceed through arbitration in the time remaining.

WHEREFORE, Staff and Rogue Creek Utilities, Inc. submit this request for arbitration and ask that the Commission schedule a procedural conference at its earliest convenience.

/s/ Amy E. Moore

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed with first-class postage, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 23rd day of October, 2013.

/s/ Amy E. Moore _____