

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

In the Matter of Roy-L Utilities)	
Request for an increase in Water)	<u>WR-2013-0543</u>
System Operation Revenue)	
 In the Matter of Roy-L Utilities)	
Request for an Increase in Sewer)	<u>SR-2013-0544</u>
System Operation Revenue)	

REQUEST FOR WAIVER AND AMENDED RATE CASE TIMELINES

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its request for waiver from 4 CSR 240-3.050, states as follows:

1. On June 25, 2013, the Commission received a letter from Roy-L Utilities, Inc. (the Company), requesting Commission approval of an increase of \$8,072.00 in its annual water system operating revenues and an increase of \$10,378.00 in its annual sewer system operating revenues, pursuant to Commission Rule 4 CSR 240-3.050, Small Utility Rate Case Procedure. The Company's request for its sewer and water operations were assigned Commission Case Nos. WR-2013-0543 and SR-2013-0544, respectively.

2. On July 1, 2013, Staff filed with the Commission its *Small Utility Rate Case Timelines* for WR-2013-0543 and SR-2013-0544 establishing target due dates for the completion of certain activities needed to process the Company's request as prescribed by 4 CSR 240-3.050(5).

3. On November 20, 2013, Staff filed its *Notice of Agreement on Extended Deadlines* pursuant to 4 CSR 240-3.050(12), providing for a two (2) month extension on the deadlines set out in sections (9), (10) and (11).

4. On January 17, 2014, the Company filed with the Commission an *Application and Motion for Expedited Treatment* requesting authority to issue \$73,000 of secured indebtedness to allow the Company to make needed physical and operational improvements, and to make Missouri Department of Natural Resources-mandated improvements.

5. Pursuant to 4 CSR 240-3.050 (12), the disposition agreement filing due date regarding this case should be no later than 210 days (150, plus a 60 day extension) after the case was opened. The disposition agreement filing due date is currently January 24, 2014. Staff, on behalf of the Company, requests this provision of 4 CSR 240-3.050 be waived in order to accommodate the Company's *Application and Motion for Expedited Treatment* and submits its proposed amended rate case timelines attached as Appendix A.

6. As described by the attached timelines, Staff proposes to postpone the disposition agreement filing due date until April 1, 2014. The Company has been diligently working to find financing for and to complete the necessary system improvements but has encountered delays beyond its control, including weather delays to construction. Postponement of the rate case timelines will allow the Commission to rule upon the Company's financing request and allow the Company the opportunity to have its physical and operational improvements included in the rate base of this rate case. The Company's requested increases in system revenues in this case were primarily driven by the needed physical and operational improvements outlined in the Company's *Application and Motion for Expedited Treatment*. Requiring this rate case to proceed on the current timeline would severely limit the Company's opportunity to

receive full consideration in rates for the capital improvements it must make. Additionally, dismissing this rate case and requiring the Company to refile after the Commission has ruled on its *Application and Motion for Expedited Treatment* would create a financial hardship for the Company and nullify seven months of work on the part of Staff and the Company. Staff is committed to working with the Company through this rate case and its finance case to come to a resolution that is equitable for all parties.

7. As described by the attached timelines, Staff proposes to push back all the deadlines on the amended rate case timelines after April 1, 2014, which is “Day 150,” to afford all parties the time that they would have had under the current timeline. Under this timeline the amended 9-month deadline will be June 2, 2014, and the 11-month deadline will be August 2, 2014.

8. The Company has represented to Staff that they support this request, and the Office of the Public Counsel has represented to Staff that they do not oppose this request.

WHEREFORE, Staff submits its request for waiver from Commission Rule 4 CSR 240-3.050 and amended rate case timelines, and requests the Commission adopt the amended rate case timelines and grant waiver from Commission Rule 4 CSR240-3.050.

Respectfully submitted,

/s/ Alexander Antal

Alexander Antal
Assistant Staff Counsel
Missouri Bar No. 65487

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-8517 (Telephone)
(573) 751-9285 (Fax)
Alexander.Antal@psc.mo.gov

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 24th day of January, 2014.

/s/ Alexander Antal

Small Utility Rate Case Timeline

MO PSC Case No. SR-2013-0544

Utility Name & Contact Info	Roy-L Utilities, Inc.
Contact Person	Marie Rock
Mailing Address	366 Highway F High Hill MO 63350
Phone Contact (land line)	(636) 358-6150 or (636) 357-9004
Phone Contact (mobile)	
Fax Contact	
E-Mail Address	
Date Case Opened	June 26, 2013
Agreement Filing Due Date	April 1, 2014
9-Month Deadline	June 2, 2014
11-Month Deadline	August 2, 2014

Set out on the following pages is the activities timeline pertaining to the processing of the above-referenced small utility revenue increase request. This timeline assumes that the Staff's investigation of the revenue increase request will result in a conclusion that an increase in the subject utility's operating revenues is needed, that at least the Utility and Staff will reach an agreement regarding the overall resolution of the request without the need for time extensions, and that the request will be resolved without an arbitration process being used or an evidentiary hearing being held. For cases where an arbitration process is going to be used or an evidentiary hearing is going to be held, it is anticipated that a procedural schedule will be set when that becomes known. In such instances, the 9-month and 11-month deadlines will need to be considered in setting the procedural schedule.

The schedule set out in the timeline establishes the Target Due Date for the completion of certain activities needed to process the request in a timely manner. Extensions of the disposition agreement filing deadline, which is 150 days after the date the utility files its request, and certain other deadlines are allowed (and under some circumstances are required) and if executed will result in changes to the timeline. Agreements for such extensions, which are limited to a maximum of 60 days, will be reduced to writing and filed in the case file, along with an updated timeline.

The entries in the Target Day column represent the number of days from the date the utility filed its request. The entries in the Target Due Date column show the date when the Target Day hits the calendar. To determine the entries for the Calendar Due Date column, Target Due Dates falling on a weekend or a holiday are moved to the next regular working day, except that the effective dates for pending revised tariff sheets cannot be adjusted.

Target Day	Target Due Date	Calendar Due Date	Case Activity	Responsible "Party"	Rule Section
0	06/26/13	N/A	Request Letter Filed and Case Opened (agreement filing due date calculated from this date)	Utility	3
5	07/01/13	07/01/13	Compliance with Section 4 of Rule Confirmed (case can be dismissed in case of non-compliance)	Case Coordinator	4
7	07/03/13	07/03/13	Case Activities Timeline Filed in Case File	Case Coordinator	5
10	07/06/13	07/08/13	Draft of Initial Customer Notice Sent to Utility & OPC	Case Coordinator	
			Letter Sent to Utility & OPC Regarding Expected Staff Activities and Identifying Participating Staff Members	Case Coordinator	
20	07/16/13	07/16/13	Requests for Information Needed for Audit Communicated to Utility by Assigned Staff (if done in writing, copies also sent to OPC)	Assigned Staff	
30	07/26/13	07/26/13	Initial Customer Notice Mailed to Customers (copy sent to Case Coordinator for filing in case file)	Utility	7
40	08/05/13	08/05/13	Responses to Requests for Information Provided to Staff by Utility (staff provides copies of information received to OPC) OR Extension of Agreement Filing Due Date Agreed to by Utility OR Staff May File Motion to Dismiss Case	Utility & Assigned Staff	4
			Copy of Initial Customer Notice Filed in Case File	Case Coordinator	7
50	08/15/13	08/15/13	Follow-Up Requests for Information Communicated to Utility by Assigned Staff (if done in writing, copies also sent to OPC)	Assigned Staff	
60	08/25/13	08/26/13	End of Response Period for Initial Customer Notice	N/A	7
70	09/04/13	09/04/13	Responses to Follow-Up Requests for Information Provided to Staff by Utility (staff provides copies of information received to the OPC) OR Extension of Agreement Filing Due Date Agreed to by Utility OR Staff May File Motion to Dismiss Case	Utility & Assigned Staff; Case Coordinator	4
75	09/09/13	09/09/13	Deadline for Completion of Construction Projects to be Included in Case OR Agreement Filing Due Date Extended So Projects Can be Included in Case	Utility; Case Coordinator	4
			Continued Compliance with Section 4 of Rule Confirmed (case can be dismissed in case of non-compliance)	Case Coordinator	
			Unless Notified Otherwise, or Unless Extensions Have Been Agreed Upon, Utility & OPC Can Assume the Process is On-Track for Timely Completion	Case Coordinator	

Target Day	Target Due Date	Calendar Due Date	Case Activity	Responsible "Party"	Rule Section
80	09/14/13	09/16/13	Basic Audit/Investigation Work Completed	Assigned Staff	9
85	09/19/13	09/19/13	Initial Audit/Investigation Reports Completed and Provided to Case Coordinator	Assigned Staff	
90	09/24/13	09/24/13	Overview of Staff's Initial Audit/Investigation Results Provided to the Utility & OPC	Case Coordinator	
100	10/04/13	10/04/13	Utility & OPC Submit Responses Regarding Staff's Case Overview to Case Coordinator (errors/ommissions to be identified and suggested changes to be included) OR Staff Assumes Information Provided is Acceptable (Staff's audit considered "complete" at this time)	Utility & OPC	
120	10/24/13	10/24/13	Staff's Settlement Proposal Packet Sent to Utility & OPC and Arrangements Made for Conference Call or Meeting to Discuss the Proposal	Case Coordinator	10
130	11/03/13	11/04/13	Conference Call or Meeting Held with Utility & OPC to Discuss Staff's Settlement Proposal	Utility, OPC & Staff	4
135	11/08/13	11/08/13	Utility & OPC Notify Staff of Whether They Agree with the Settlement Proposal (if not, the reasons for that and suggested changes to the settlement proposal documents are provided to the Case Coordinator)	Utility & OPC	
			Utility Must Respond OR Agree to Extension of Agreement Filing Due Date OR Staff May File Motion to Dismiss Case	Utility; Case Coordinator	
140	11/13/13	11/13/13	Agreed-Upon Changes to Settlement Proposal Documents Completed and Final Disposition Agreement Sent to Company for Signing (copy also sent to OPC; OPC may or may not sign)	Case Coordinator	4
			Continued Compliance with Section 4 of Rule Confirmed (case can be dismissed in case of non-compliance)	Case Coordinator	
145	11/18/13	11/18/13	Signed Disposition Agreement Returned to Staff	Utility; OPC (if applicable)	
			Staff Sends Revised Tariff Sheets and Draft Tariff Filing Transmittal Letter to the Utility	Case Coordinator	
150	04/01/14	04/01/14	Staff Files Executed Disposition Agreement	Case Coordinator	11

Activities needed from this point forward vary based on the approach taken by the OPC. The next three sections set out the activities needed based on the different OPC approaches that are possible.

This section pertains to the situation where the Utility, Staff & OPC reach an agreement on the overall disposition of the request, and is thus based on the fact that the Utility will not send out a second customer notice. In this situation, a minimum of 30 days is needed between the filing date and the proposed effective date of the Utility's tariff revisions. The dates shown assume that the Utility will make a 30-day tariff filing on Day 155.

Target Day	Target Due Date	Calendar Due Date	Case Activity	Responsible "Party"	Rule Section
155	04/06/14	04/07/14	Utility Files Necessary Tariff Revisions	Utility	13
165	04/16/14	04/16/14	Staff Recommendation Filed if applicable OR ordered by the Commission. (includes confirmation of Utility's continued compliance with Section 4 of Rule OR motion for suspension of tariff revisions requesting correction of the deficiencies will be submitted)	Case Coordinator	
175	04/26/14	04/28/14	Order Approving Tariff Revisions Issued	Assigned RLJ	
185	05/06/14	05/06/14	Tariff Revisions Effective "On and After" this Date	N/A	13
190	05/11/14	05/12/14	Draft of Final Customer Notice Sent to Utility & OPC	Case Coordinator	
200	05/21/14	05/21/14	Final Customer Notice Mailed to Customers (copy sent to Case Coordinator for filing in case file)	Utility	22
210	05/31/14	06/02/14	Copy of Final Customer Notice Filed in Case File	Case Coordinator	22
215	06/05/14	06/05/14	Notice Closing Case Issued	Assigned RLJ	

This section pertains to the situation where only the Utility and Staff reach an agreement on the overall disposition of the request, and is thus based on the fact that the Utility will send out a second customer notice. This section is also based on the assumption that the OPC will not request a local public hearing. In this situation, a minimum of 45 days is needed between the filing date and the proposed effective date of the Utility's tariff revisions. The dates shown assume that the Utility will make a 45-day tariff filing on Day 155.

Target Day	Target Due Date	Calendar Due Date	Case Activity	Responsible "Party"	Rule Section
150	04/01/14	04/01/14	Draft of Second Customer Notice Sent to Utility & OPC	Case Coordinator	
155	04/06/14	04/07/14	Utility Files Necessary Tariff Revisions	Utility	14
160	04/11/14	04/11/14	Second Customer Notice Mailed to Customers (copy sent to Case Coordinator for filing in case file)	Utility	14
170	04/21/14	04/21/14	Copy of Second Customer Notice Filed in Case File	Case Coordinator	14
180	05/01/14	05/01/14	End of Response Period for Second Customer Notice	N/A	14
187	05/08/14	05/09/14	OPC Files Its Position Statement	OPC	15
188	05/09/14	05/09/14	Staff Recommendation Filed if applicable OR ordered by the Commission. (includes confirmation of Utility's continued compliance with Section 4 of Rule OR motion for suspension of tariff revisions requesting correction of the deficiencies will be submitted)	Case Coordinator	
190	05/11/14	05/12/14	Order Approving Tariff Revisions Issued	Assigned RLJ	
200	05/21/14	05/21/14	Tariff Revisions Effective "On and After" this Date	N/A	14
205	05/26/14	05/27/14	Draft of Final Customer Notice Sent to Utility & OPC	Case Coordinator	
215	06/05/14	06/05/14	Final Customer Notice Mailed to Customers (copy sent to Case Coordinator for filing in case file)	Utility	22
225	06/15/14	06/16/14	Copy of Final Customer Notice Filed in Case File	Case Coordinator	22
230	06/20/14	06/20/14	Notice Closing Case Issued	Assigned RLJ	

This section pertains to the situation where only the Utility and Staff reach an agreement on the overall disposition of the request, and is thus based on the fact that the Utility will send out a second customer notice. This section is also based on the assumption that the OPC will request a local public hearing and that one will be held. In this situation, a minimum of 45 days is needed between the filing date and the proposed effective date of the Utility's tariff revisions. The dates shown assume that the Utility will make a 45-day tariff filing on Day 155. The dates also assume that the tariff revisions will be suspended for 45 days past the proposed effective date, and that the local public hearing will be held 30 days before the end of the suspension period.

Target Day	Target Due Date	Calendar Due Date	Case Activity	Responsible "Party"	Rule Section
150	04/01/14	04/01/14	Draft of Second Customer Notice Sent to Utility & OPC	Case Coordinator	
155	04/06/14	04/07/14	Utility Files Necessary Tariff Revisions	Utility	14
160	04/11/14	04/11/14	Second Customer Notice Mailed to Customers (copy sent to Case Coordinator for filing in case file)	Utility	14
170	04/21/14	04/21/14	Copy of Second Customer Notice Filed in Case File	Case Coordinator	14
180	05/01/14	05/01/14	End of Response Period for Second Customer Notice	N/A	
187	05/08/14	05/09/14	OPC Files Request for Local Public Hearing	OPC	15
190	05/11/14	05/12/14	Order Setting Local Public Hearing and Suspending Tariff Revisions Issued	Assigned RLJ	
195	05/16/14	05/16/14	Draft of LPH Customer Notice Sent to Utility & OPC	Case Coordinator	
200	05/21/14	05/21/14	Notice of Local Public Hearing Mailed to Customers (copy sent to Case Coordinator for filing in case file)	Utility	18
210	05/31/14	06/02/14	Copy of LPH Customer Notice Filed in Case File	Case Coordinator	18
215	06/05/14	06/05/14	Local Public Hearing Held	Assigned RLJ	
222	06/12/14	06/12/14	Staff Files Notice re: Possible Changes to the Disposition Agreement Based on Info Provided at the Local Public Hearing (includes motion to suspend tariff revisions if needed) 5 WORKING DAYS	Case Coordinator	19
229	06/19/14	06/19/14	OPC Files Its Position Statement** 10 WORKING DAYS	OPC	19
230	06/20/14	06/20/14	Staff Recommendation Filed if applicable OR ordered by the Commission. (includes confirmation of Utility's continued compliance with Section 4 of Rule OR motion for suspension of tariff revisions requesting correction of the deficiencies will be submitted)	Case Coordinator	
235	06/25/14	06/25/14	Order Approving Tariff Revisions Issued	Assigned RLJ	
245	07/05/14	07/07/14	Tariff Revisions Effective "On and After" this Date	N/A	14
250	07/10/14	07/10/14	Draft of Final Customer Notice Sent to Utility & OPC	Case Coordinator	
260	07/20/14	07/21/14	Final Customer Notice Mailed to Customers (copy sent to Case Coordinator for filing in case file)	Utility	22
270	07/30/14	07/30/14	Copy of Final Customer Notice Filed in Case File	Case Coordinator	22
275	08/04/14	08/04/14	Notice Closing Case Issued	Assigned RLJ	