

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 20th day
of June, 2012.

In the Matter of Meramec Sewer Company)
Rate Increase Request)

File NO. SR-2012-0309

ORDER GRANTING REQUEST TO INTERVENE

Issue Date: June 20, 2012

Effective Date: June 20, 2012

On March 20, 2012, Meramec Sewer Company filed a letter with the Missouri Public Service Commission requesting a rate increase. On June 13, 2012, Jefferson County filed an application to intervene and motion for expedited treatment.

For its application, Jefferson County states that Meramec Sewer owes county taxes in the amount of \$72,000. The County therefore seeks to intervene in order to establish a mechanism for the payment of back taxes. The County accurately points out that Meramec's tariff provides for rates that are exclusive of government taxes but requires the company to include such taxes as a separate item on its customers' bills. Toward this end, the County has filed a separate action seeking Commission authority to sell Meramec Sewer's assets.¹

Both the Staff of the Commission and the Office of the Public Counsel oppose the application to intervene. Staff states that because the purpose of this rate case is to set just and reasonable rates, the County has no interest which differs from the general public.

¹ Commission Case No. SM-2012-0423, *Application for Sale of Utility Assets and Motion for Expedited Treatment*.

Staff further urges that the County's concerns would be better addressed in the separate action wherein the County is seeking authority to sell the sewer company's assets.

Public Counsel argues that Jefferson County's interest is not different from the general public. Public Counsel further argues that because the County's interest will remain unchanged despite the outcome of this case, the County has no interest which would be adversely affected. Finally, Public Counsel argues that the public interest will not be served by the County's intervention because legal and rate case expense would be incurred.

Commission rule 4 CSR 240-2.075 states that the Commission may grant a motion to intervene if the proposed intervenor has an interest which is different from that of the general public and which may be adversely affected by a final order arising from the case or granting the proposed intervention would serve the general public.

Because Jefferson County is the only entity with an interest in charging county taxes and is the only entity in the position to protect this interest, its interest differs from that of the general public. As pointed out by the County, Meramec Sewer's current tariff provides for the payment of government taxes. To the extent that similar language may be considered for inclusion in any tariff arising from this case, Jefferson County's interest may be adversely affected by the outcome of this case.

Having found that Jefferson County has an interest which is different from the general public and that its interest may be adversely affected by the outcome of this case, the Commission will grant the County's application to intervene.

THE COMMISSION ORDERS THAT:

1. Jefferson County, Missouri's application to intervene is granted.

2. This order shall become effective upon issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. C. Reed', written in a cursive style.

Steven C. Reed
Secretary

(S E A L)

Gunn, Chm., Jarrett and Kenney, CC., concur.
Stoll, C., abstains.

Jones, Senior Regulatory Law Judge