

**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 DISPOSITION AGREEMENT AND  
REQUEST FOR ARBITRATION**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and on behalf of itself and Rogue Creek Utilities, Inc. (“Rogue Creek” or “the Company”) states 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. Staff and Rogue Creek were unable to make an agreement regarding resolution of the Company's request by October 23, 2013. Because of this, Staff and the Company requested the issues in this case be resolved by arbitration, pursuant to Commission Rule 4 CSR 240-3.050.

4. On October 29, 2013, the Commission issued an Order directing Staff to file a disposition agreement setting out the unresolved issues in this case by November 8, 2013.

5. In compliance with that Order, Staff attaches to this pleading as Appendix A two partial disposition agreements between Staff and the Company regarding resolution of the Company's water and sewer utility revenue increase requests. Included in Appendix A are various attachments related to the disposition agreements and Staff's investigation of the Company's revenue increase requests.

6. Staff and the Company renew their request that the unresolved issues in this case be resolved by arbitration. The Company has represented to Staff that arbitration is its preference so that it may proceed without assistance of counsel.

7. 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**, on behalf of itself and Rogue Creek Utilities, Inc., Staff submits this notice of agreement and request for arbitration and asks that the Commission schedule a procedural conference at its earliest convenience.

Respectfully submitted,

**/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 8<sup>th</sup> day of November, 2013.

**/s/ Amy E. Moore**