



Missouri Public Service Commission

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August 23, 1996

FILED

AUG 23 1996

**MISSOURI
PUBLIC SERVICE COMMISSION**

Mr. David L. Rauch
Executive Secretary
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

RE: Case No. WA-96-246 - Spokane Highlands Water Company for a Certificate of Convenience and Necessity

Dear Mr. Rauch:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a **Motion for Clarification**.

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

John M. Himmelberg, Jr.
Assistant General Counsel
(573) 751-7485
(573) 751-9285 (Fax)

JMH/clw
Enclosure
cc: Counsel of Record

x

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED
AUG 23 1996

In the matter of the Application of Spokane)
Highlands Water Company for a Certificate)
of Convenience and Necessity Authorizing it)
to Construct, Install, Operate and Maintain a)
Water System and to Supply and Render)
Water Service to the Public Located in and)
around an Unincorporated Area Near)
Spokane, Christian County, Missouri.)

MISSOURI
PUBLIC SERVICE COMMISSION

Case No. WA-96-246

MOTION FOR CLARIFICATION

COMES NOW the Staff of the Missouri Public Service Commission ("Staff") by and through its attorney and for its Motion for Clarification of the Missouri Public Service Commission's ("Commission") Order Granting Certificate of Convenience and Necessity dated August 20, 1996 ("Order") states as follows:

1. The Commission's Order states "[t]hat Spokane Highlands Water Company shall file in this docket a complete set of rates, rules, service area description, and other necessary tariffs, including tariffs fully incorporating the recommendations of the Staff as set out in this order, prior to commencing operations. Order at 3.
2. The Commission stated in its order that the Staff recommended that the Commission "[a]pprove depreciation accrual rates as shown on Attachment 1." Order at 2.
3. Section 393.240.2 RSMo 1994 states "[t]he commission may, from time to time, ascertain and determine and by order fix the proper and adequate rates of depreciation of the several classes of property of such corporation, person or public utility." In its prior orders, the Commission has traditionally expressly included in its "ordered" language a requirement that the entity seeking

a certificate be required to adopt the depreciation rates directed by the Commission. The Commission further usually attaches a schedule to its order containing Staff's proposed rates. The Commission in this Order did not include an express order for Spokane Highlands Water Company to adopt any depreciation rates. Neither did the Commission attach the approved depreciation rates to its Order.

4. Without clarification of the Commission's Order, Staff argues that Spokane Highlands Water Company has no ordered depreciation rates in effect. The Staff respectfully requests the Commission to clarify its order to include language expressly ordering Spokane Highlands Water Company to adopt Staff's proposed depreciation rates recommended in this case. The Staff further respectfully requests the Commission attach a copy of the effective depreciation rates to its order. This, Staff believes, will clarify the Commission's intent and eliminate potential confusion over the Commission's Order.

WHEREFORE, the Staff respectfully moves the Commission to clarify its Order in accordance with the preceding paragraphs.

Respectfully submitted,



John M. Himmelberg, Jr. 42704
Assistant General Counsel

Attorney for the Staff of the
Missouri Public Service Commission
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 23 day of August, 1996.

John M. Hamelberg Jr.

Service List For Case No. WA-96-246
February 5, 1996

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