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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 19th
day of August, 1994.

Capital Utilities, Inc.'s request)
for increased rates for sewer)
service pursuant to the Commission's) Case No. SR-95-39
informal rate procedure.)

ORDER SCHEDULING LOCAL PUBLIC HEARING

On August 8, 1994, the Office of Public Counsel (OPC) filed a motion requesting a local public hearing in the above referenced case. On August 10, 1994, a Notice was issued by the Commission requiring that any response to the above referenced motion be filed by 3:00 p.m. on August 16, 1994. No response has been filed.

OPC's Request for Local Public Hearing states that Capital Utilities, Inc. (Capital or Company) is requesting a rate increase. On August 10, 1994, tariffs were filed on behalf of the company pursuant to the Commission's informal rate procedure found at 4 CSR 240-2.060(a). Pursuant to negotiations among the parties, the Public Service Commission Staff (Staff) has recommended that the Company's rates be increased to twenty-two dollars and fifty-three cents (\$22.53) for residential customers (an increase of 30.9%) and a rate increase to nineteen dollars and fifteen cents (\$19.15) for mobile home customers in a mobile home park (a rate increase of 39.1%). OPC and the Company both agree with the Staff's recommendation. OPC further states in its request that it has received complaints about the proposed increase from twelve (12) customers and has

received a petition with seven (7) signatures protesting the proposed increase.

The Commission finds that no pleading has been filed in opposition to the request of OPC and the Commission further finds that due to the substantial size of the proposed increase and due to the customer interest shown, a public hearing would be in the public interest. The Commission further finds that inasmuch as the Company service area is in close proximity to the Commission's offices a local public hearing may be held in the Commission's hearing room on the fifth floor of the Truman Building. The Commission finds that in order to provide the public with adequate notice of the requested local public hearing that notice of time, date and place of the local public hearing be given to every potentially affected customer by either an imprint on the customer's monthly billing or a bill insert or in a separate mailing not less than ten (10) days prior to the date of the public hearing together with information regarding the amount of the proposed general rate increase and the approximate percentage of proposed general rate increase. The Commission also finds that it is appropriate that the newspaper publishers, as listed in the newspaper directory of the current Official Manual of the State of Missouri, as well as any radio and television stations in the immediate area receive similar notice.

As a final procedural matter, the Commission finds that no attorney has entered an appearance on behalf of the Company. Although the Company is technically not required to have an attorney in order for the Commission to proceed with the local public hearing the Company is hereby advised that without the benefit of legal counsel it may not file any motions or pleadings in this docket. Additionally, pursuant to state law and Commission rules non-attorneys are not permitted to ask questions of any

witnesses at Commission hearings neither may they make any arguments for the record. If the Company wishes to appear or to be heard at the local public hearing it may only do so by an attorney licensed to practice law in the state of Missouri.

IT IS THEREFORE ORDERED:

1. That the Office of Public Counsel's Request for Local Public Hearing is hereby granted as set out herein.

2. That a hearing is hereby scheduled in the above referenced case for September 8, 1994, commencing at 7:00 p.m. and continuing until all of the witnesses have been heard or until 9:00 p.m., whichever shall first occur.

3. That the local public hearing herein shall be held in Room 520B of the Harry S Truman Building located at 301 W. High Street, Jefferson City, Missouri 65101.

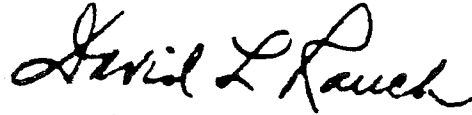
4. That any person who has special needs as addressed by the Americans With Disabilities Act, please contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services' Hotline -- 1-800-392-4211, or TDD Hotline -- 1-800-829-7541.

5. That notice shall be issued by Capital Utilities, Inc. as set out herein.

6. That the Information Officer of the Public Service Commission shall issue notice as set out herein.

7. That this order shall become effective on the date hereof.

BY THE COMMISSION

A handwritten signature in cursive script, reading "David L. Rauch".

David L. Rauch
Executive Secretary

(S E A L)

Mueller, Chm., McClure, Kincheloe
and Crumpton, CC., Concur.
Perkins, C., Absent.