

**OF THE STATE OF MISSOURI**

In the Matter of the Request of Middlefork )  
Water Company for an Extension of Time ) **Case No. WE-2007-0414**  
for Filing the Annual Report Due April 15, 2007 )

**ORDER GRANTING MOTION FOR LEAVE TO LATE-FILE REQUEST**  
**FOR EXTENSION OF TIME TO FILE ANNUAL REPORT**

Issue Date: April 25, 2007

Effective Date: April 25, 2007

On April 23, 2007, Middlefork Water Company (“Middlefork”), by and through its attorney, filed a pleading requesting that the Missouri Public Service Commission extend the time within which it may file its 2006 annual report respecting its regulated water operations to May 15, 2007.

Except as otherwise provided, Commission Rule 4 CSR 240-3.640(1) requires all water utilities to “submit an annual report to the commission on or before April 15 of each year.” However, Section 393.140(6) authorizes the Commission to “extend the time prescribed for cause shown.”<sup>1</sup> Accordingly, Commission Rule 4 CSR 240-3.640(6) states:

A water utility that is unable to meet the submission date established in section (1) of this rule may obtain an extension of up to thirty (30) days for submitting its annual report by:

- (A) Submitting a written request, which states the reason for the extension, to the attention of the secretary of the commission prior to April 15; and
- (B) Certifying that a copy of the written request was sent to all parties of record in pending cases before the commission where the utility's activities are the primary focus of the proceedings.

<sup>1</sup> All statutory citations are to RSMo 2000.

As 4 CSR 240-3.640(6)(A) requires all written requests for extensions of thirty days or less to be submitted “to the attention of the secretary of the commission prior to April 15,” Middlefork’s request is untimely, since it is dated April 16, 2007 and was not filed until April 23, 2007.

Recognizing this, in addition to its written request for an extension, Middlefork filed its “Motion for Leave to File Request for Extension of Time for Filing Annual Report Out of Time.” In this motion, counsel for Middlefork explained that although the request was prepared and filed after the deadline, Middlefork was seeking only a 30-day extension and it would not prejudice anyone for the Commission to allow Middlefork to file it late.

Because Middlefork has set forth reasonable grounds for granting leave to late-file its written request under the circumstances present in this case, the motion will be granted.

**IT IS ORDERED THAT:**

1. Middlefork Water Company’s motion seeking leave to late-file its request for an extension of the time within which it may file its 2006 annual report is granted.
2. This order shall become effective on April 25, 2007.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Benjamin H. Lane, Regulatory Law  
Judge, by delegation of authority  
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 25th day of April, 2007.