



5. Staff recognizes the Company's *Adoption Notice* was filed after the deadline ordered by the Commission but believes the Company's delay was inadvertent.

6. The Commission has the authority to approve the proposed tariff sheets pursuant to Section 393.140(11), RSMo (2000).

7. Jim Merciel, Utility Regulatory Engineering Supervisor, reviewed the index and adoption notice filed with the Commission and states that, to the best of his knowledge, information, and belief, the proposed sheets substantially comply with the Commission's *Order Approving Application*, even though it was not timely filed. See Affidavit of James A. Merciel, Jr., P.E., attached and incorporated by reference herein as Attachment A.

**WHEREFORE**, Staff submits this recommendation to the Commission stating that the tariffs filed in this case comply with the terms of the Commission's *Order Approving Application*.

**/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 5th day of August, 2013.

**/s/ Amy E. Moore**

