

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of Public Counsel's Petition to)	
Open a Workshop Docket to Investigate)	Case No. SO-2009-0363
Solutions to Issues Faced by Small Water)	WO-2009-0362
and Sewer Regulated Public Utilities.)	

**STAFF'S RESPONSE TO OPC'S REQUEST FOR REVIEW
AND REQUEST TO BEGIN WORKSHOP AUGUST 20, 2009**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and submits its Response to the Office of Public Counsel's (OPC) Request for Review and Request to Begin Workshop August 20, 2009 to the Missouri Public Service Commission (Commission) stating as follows:

1. On April 8, 2009, OPC filed its Petition to Open a Workshop Docket to allow stakeholders, interested entities, and the Commission to explore the problems facing Commission regulated small water and sewer companies and develop solutions.
2. On April 10, 2009, the Commission issued its order directing Staff to respond.
3. Staff agrees that many problematic issues exist for regulated small water and sewer companies that will be explored in a Commission workshop. However, Staff has an obligation to notify the Commission that the Water and Sewer Department's current workload and subsequent time committed to that workload makes it difficult, if not impossible, for Staff to appropriately and effectively facilitate such a workshop at this time.
4. Currently pending before the Commission are eighteen (18) small water and sewer rate cases, in addition to application cases, formal complaints and other inspections and investigations. Pursuant to Commission Rule 4 CSR 240-3.050(24), ten (10) of these eighteen rate cases must be finally presented to the Commission by July 23, 2009, while another six (6) must be finally presented no later than August 26, 2009.

5. As the vast majority of the small water and sewer rate cases filed will be completed by the end of August 2009, the Water and Sewer Department Staff, along with other Commission department Staff with experience auditing, evaluating, and monitoring regulated small water and sewer companies will be able to dedicate the appropriate amount of time to effectively collect, evaluate, report and propose solutions to the information received.

6. Furthermore, beginning the workshop near the completion of a majority of these pending rate cases will also allow everyone involved to completely evaluate problems known and discovered through the rate case process; review creative solutions already proposed, and any approved, through the rate case process; and discuss the strengths and weaknesses of the small water and sewer rule itself and propose corrections.

7. Within Commission workshop dockets, Staff is the primary entity responsible for the life and possible success of a workshop. This includes, but is not limited to:

- contacting the essential entities, here regulated small water and sewer companies, to encourage participation and initiate the workshop;
- organizing meetings;
- preparing preliminary agendas for discussion;
- accumulating data and disseminating information to participating entities for review;
- ultimately reviewing and sorting incoming responses; and
- preparing a report for submission to the Commission.

8. With all that is involved to effectively carry out such an important workshop to help develop solutions to problematic issues facing small water and sewer companies, Staff needs to be able to dedicate the appropriate amount of time and attention to this workshop. However, Staff will not have that time available until a majority of the small water and sewer rate cases nears completion.

WHEREFORE, the Staff respectfully requests the Commission allow the workshop to begin as of August 20, 2009 for Staff to dedicate the appropriate amount of time and attention that this topic deserves and requires.

Respectfully submitted,

/s/ **Shelley Syler Brueggemann**

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 13th day of April 2009.

/s/ **Shelley Syler Brueggemann**