

Jeremiah D. Finnegan

From: Krueger, Keith [keith.krueger@psc.mo.gov]
Sent: Wednesday, November 07, 2007 1:39 PM
To: jfinnegan@fcplaw.com; christina.baker@ded.mo.gov; comley@ncrpc.com
Cc: Willis Sherry (E-mail); Derek Sherry (E-mail)
Subject: RE: Case: SR-2008-0080 Proposed Motion for Rehearing or Reconsideration

The Staff does not oppose your request.

From: Jeremiah D. Finnegan [mailto:jfinnegan@fcplaw.com]
Sent: Tuesday, November 06, 2007 4:48 PM
To: Krueger, Keith; christina.baker@ded.mo.gov; comley@ncrpc.com
Cc: Willis Sherry (E-mail); Derek Sherry (E-mail)
Subject: RE: Case: SR-2008-0080 Proposed Motion for Rehearing or Reconsideration

I am enclosing a copy of a proposed motion for rehearing or reconsideration, which I plan to file tomorrow hopefully or no later than Thursday since the effective date of the Order is November 9th. I am hoping that after you have a chance to review it, you would indicate to me one way or the other whether you would agree not to oppose it so I can so state in a separate paragraph.

What I am requesting in the 4 page motion is that the Commission reconsider its decision to approve all rates on an interim basis, subject to refund and instead issue a new order approving all rates, except the connection fee, on a permanent basis and continue its approval of only the connection fee on an interim basis, subject to refund. I am also asking that such approval of the permanent rates be effective from and after December 1st, since Timber Creek does not have the capability of pro-rating rates electronically and would have to do so by hand and then would have to face an anticipated spate of questions and complaints on the amount of the bills.

Please let me hear from you one way or the other by tomorrow if possible. Thanks. Give me a call if you have any questions.

11/8/07

Jeremiah D. Finnegan

From: Baker, Christina [christina.baker@ded.mo.gov]
Sent: Wednesday, November 07, 2007 1:45 PM
To: jfinnegan@fcplaw.com; Krueger, Keith; comley@ncrpc.com
Cc: Willis Sherry (E-mail); Derek Sherry (E-mail)
Subject: RE: Case: SR-2008-0080 Proposed Motion for Rehearing or Reconsideration

OPC doesn't have an opposition to this.

Christina B.

From: Jeremiah D. Finnegan [mailto:jfinnegan@fcplaw.com]
Sent: Tuesday, November 06, 2007 4:48 PM
To: Krueger, Keith; Baker, Christina; comley@ncrpc.com
Cc: Willis Sherry (E-mail); Derek Sherry (E-mail)
Subject: RE: Case: SR-2008-0080 Proposed Motion for Rehearing or Reconsideration

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11/8/07

Jeremiah D. Finnegan

From: Mark Comley [comleym@ncrpc.com]
Sent: Thursday, November 08, 2007 11:16 AM
To: jfinnegan@fcplaw.com
Cc: Krueger, Keith; christina.baker@ded.mo.gov; Willis Sherry (E-mail); Derek Sherry (E-mail)
Subject: RE: Case: SR-2008-0080 Proposed Motion for Rehearing or Reconsideration

Jerry, although Hunt Midwest does not oppose the relief in the motion, it doesn't necessarily agree with the legal analysis in the motion. If you could work something like that into the pleading, that would be acceptable to me. If that doesn't work for you, I can file something separately expressing that thought.

Mark W. Comley
Newman, Comley & Ruth P.C.
601 Monroe, Suite 301
P.O. Box 537
Jefferson City, Missouri 65102-0537
Telephone: 573-634-2266 Ext. 301
Fax: 573-636-3306

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From: Jeremiah D. Finnegan [mailto:jfinnegan@fcplaw.com]
Sent: Wednesday, November 07, 2007 3:02 PM
To: Mark Comley
Cc: 'Krueger, Keith'; christina.baker@ded.mo.gov; Willis Sherry (E-mail); Derek Sherry (E-mail)
Subject: RE: Case: SR-2008-0080 Proposed Motion for Rehearing or Reconsideration

Mark, I have heard back from Keith and Christina and they do not oppose the motion. Will you be able to tell me soon whether you can also say that you do not oppose? I have to file it by tomorrow to be timely. Thanks.

I am enclosing a revised copy for your review, in which I have added a paragraph stating that the Staff and OPC do not oppose and would propose to add Hunt Midwest to that paragraph if it does not oppose. I also have added in Paragraph 5 a reference to the Order Adopting Procedural Schedule.

-----Original Message-----

11/8/07

From: Jeremiah D. Finnegan [mailto:jfinnegan@fcplaw.com]
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To: 'Krueger, Keith'; 'christina.baker@ded.mo.gov'; 'comley@ncrpc.com'
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Subject: RE: Case: SR-2008-0080 Proposed Motion for Rehearing or Reconsideration

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