

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

In the Matter of the Joint Application of)
Taney County Utilities Corporation and)
Taney County Water, LLC for authority of) Case No. WM-2011-0143
Taney County Utilities Corporation to sell)
certain assets to Taney County Water, LLC)

STAFF’S RECOMMENDATION FOR APPROVAL OF TARIFFS

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and recommends that the Missouri Public Service Commission (Commission) approve tariff sheets submitted in Case No. WM-2011-0143. In support of this recommendation, Staff states as follows:

1. On November 18, 2010, Taney County Utilities Corporation and Taney County Water, LLC (Company) filed a *Joint Application* seeking to sell and transfer water utility assets owned and operated by Taney County Utility to Taney County Water, LLC.
2. On August 8, 2011, the Commission issued an *Order Approving Application (Order)*, which included that Taney County, LLC adopt the Schedule of Rates, Rules and Regulations (Tariffs) currently on file and approved for Taney County Utility Corporation no later than five days after the effective date of the *Order*. The effective date was August 20, 2011.
3. On August 30, 2011, Taney County Water, LLC filed an *Index and Tariff Adoption Notice* with the Commission.
4. Staff recognizes that the Company’s filing to the Commission was filed ten days after the effective date, but believes the Company’s delay was inadvertent.
5. The Commission has the authority to approve the proposed tariff sheets pursuant to Section 393.140(11), RSMo (2000).

6. Jim Merciel, Utility Regulatory Engineering Supervisor, reviewed the index and adoption notices filed with the Commission, and states that to the best of his knowledge, information, and belief, that the proposed sheets substantially comply with the Commission's *Order*, 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 respectfully submits *Staff's Recommendation for Approval of Tariffs* and Staff supports the *Index and Tariff Adoption Notices* filed in this matter. Staff respectfully recommends the Commission approve the Company's filing.

Respectfully submitted,

/s/ Rachel M. Lewis

Rachel M. Lewis
Deputy General Counsel
Missouri Bar No. 56073

Attorney for the
Staff of the Missouri
Public Service Commission
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record on this 15th day of September, 2011.

/s/ Rachel M. Lewis

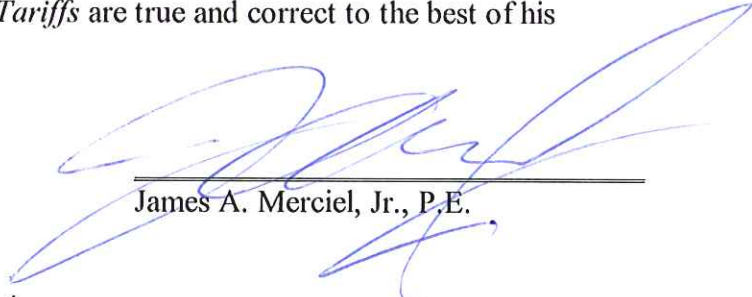
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AFFIDAVIT OF JAMES A. MERCIEL, JR., P.E.

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

James A. Merciel, Jr., P.E., of lawful age, on his oath states: (1) that he is the Utility Regulatory Engineering Supervisor in the Water and Sewer Department of the Missouri Public Service Commission; (2) that he participated in the preparation of the foregoing *Staff's Recommendation for Approval of Tariffs*; (3) that he has knowledge of the matters set forth in the foregoing *Staff's Recommendation for Approval of Tariffs*; and, (4) that the matters set forth in the foregoing *Staff's Recommendation for Approval of Tariffs* are true and correct to the best of his knowledge, information and belief.



James A. Merciel, Jr., P.E.

Subscribed and sworn to before me this 14th day of September 2011.



Notary Public

SUSAN L. SUNDERMEYER
Notary Public - Notary Seal
State of Missouri
Commissioned for Callaway County
My Commission Expires: October 03, 2014
Commission Number: 10942086