

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

In the Matter of the Application of Highway H Utilities,)	
Inc., for Authority to Sell Certain Water Systems Assets)	<u>Case No. WO-2012-0211</u>
To the City of Waynesville, Missouri, and in Connection)	
Therewith, Certain Other Related Transactions.)	

**STAFF’S MOTION FOR EXTENSION OF TIME AND
REQUEST FOR LOCAL PUBLIC HEARING**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and files this *Motion for Extension of Time and Request for Local Public Hearing* (“Motion”) with the Missouri Public Service Commission (“Commission”), respectfully stating the following:

1. On January 11, 2012, Highway H Utilities, Inc., (“Highway H”) filed an *Application and Motion for Waiver* (“Application”) with the Commission, seeking approval to sell a portion of its water system assets to the City of Waynesville, Missouri (“the City”). Highway H currently operates a water system known as the Hunter’s Pointe Water System located in Pulaski County, Missouri. Highway H and the City have entered into an agreement (“Sales Agreement”), providing for the sale of all assets, property and real estate connected with the Hunter’s Pointe Water System.

2. In addition to Highway H’s request for Commission approval of the sale and transfer of assets within its Sales Agreement and Application, filed on January 11, 2012, Highway H also requested a waiver of the sixty day notice requirement, citing good cause for the waiver pursuant to Commission Rule 4 CSR 240-4.020(2)(A). Highway H asserts that it is unlikely this will be a contested case.

3. On January 12, 2012, the Commission issued an *Order Directing Notice and Order Directing Filing* providing that proper persons wishing to intervene shall file an application to intervene with the Secretary of the Commission no later than February 1, 2012. To date, no such application to intervene has been filed with the Commission.

4. Staff is currently investigating the financial, technical, and economic implications of the proposed transaction and may be submitting data requests to the parties.

5. Staff has received several public comments since the Application was filed and, in order to address some of the issues raised in those comments, Staff requests that the Commission schedule a Local Public Hearing. A Local Public Hearing will provide the citizens of Hunter's Pointe and the City of Waynesville an opportunity to hear more information about this potential transfer of assets, the possible impacts upon customers if the Commission should approve this Application, and an opportunity for local citizens and customers to voice any additional concerns they may have in this matter before Staff files its recommendation.

6. Staff further requests that representatives of both the City and Highway H be required by the Commission to attend the scheduled Local Public Hearing in order to address questions and concerns of customers and citizens of the City and Hunter's Pointe areas.

7. Staff further requests that a Local Public Hearing be scheduled on one of the following dates, if possible: February 15, 16, or 17 in 2012. If the Commission schedules a Local Public Hearing on one of these dates, then Staff requests expedited treatment by the Commission in order to provide reasonable notice to the public at least ten days before the hearing. Section 536.067(4), RSMo 2011.

8. In the alternative, Staff recommends one of the following dates, if possible: March 5, 6, or 7 in 2012, but no later than March 15, 2012, due to the Missouri American

Water Company Evidentiary Hearing in Case No. WR-2011-0337, set for February 21 through March 2, 2012.

9. Staff suggests these dates for the Local Public Hearing in order to provide sufficient time for Staff to review as much information as possible prior to the Local Public Hearing, and also in order for Staff to address any new public concerns brought forth at the Local Public Hearing in its recommendation or status report.

10. On January 12, 2012, the Commission issued an *Order Directing Notice and Order Directing Filing* (“Order”) directing Staff to file a recommendation or, in the alternative, to file a responsive pleading to Highway H’s Application no later than February 15, 2012. This filing complies with that Order.

11. Assuming the Local Public Hearing can be conducted by March 15, 2012, Staff anticipates that it will be in the position to file its recommendation or status update no later than Monday, April 2, 2012; and, Staff hereby requests such an extension of time.

12. This Motion is not filed for the purposes of delay.

WHEREFORE, Staff prays that the Commission will order a Local Public Hearing in this matter as described above and further requests that Staff be given until Monday, April 2, 2012 to file its recommendation or status update in this matter.

Respectfully submitted,

/s/ TANYA K. ALM

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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 30th day of January, 2012.

/S/ TANYA K. ALM