

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 18<sup>th</sup> day of  
November, 2015.

The Office of the Public Counsel,	)	
an Agency of the State of Missouri,	)	
Complainant,	)	
	)	
v.	)	
	)	
TUK, LLC,	)	
Louis Mountzoures,	)	
Jonathan Finkelstein,	)	
a Missouri Water and Sewer Corporation,	)	
Respondents.	)	

**File No. WC-2015-0291**

**File No. SC-2015-0292**

**ORDER APPROVING STIPULATION AND AGREEMENT**

Issue Date: November 18, 2015

Effective Date: November 28, 2015

On May 5, 2015, the Office of the Public Counsel ("OPC") filed a complaint with the Missouri Public Service Commission against TUK, LLC, Louis Mountzoures, and Jonathan Finkelstein (jointly referred to as "TUK"). On October 7, OPC and TUK filed an agreement that settles all disputed issues ("Stipulation and Agreement").

Under the terms of the Stipulation and Agreement, TUK will refund all water revenues received since November 1, 2013 (\$8,344.00) to its customers through a sewer bill credit for those customers that are water and sewer customers.<sup>1</sup> TUK customers only receiving water service shall receive a refund by check.<sup>2</sup> TUK agrees to not charge for

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<sup>1</sup> There are approximately 18 customers receiving both water and sewer service through TUK.

<sup>2</sup> There are approximately 4 customers of TUK that are not also sewer customers.

water services and to not connect new water customers unless it is granted a water certifiicate of convenience and necessity (“CCN”) by the Commission at a later time.<sup>3</sup>

Pursuant to Commission rule 4 CSR 240-2.010(10), the Commission’s Staff is automatically a party to any proceeding before the Commission. Staff was not a signatory of the Stipulation and Agreement. The Stipulation and Agreement is non-unanimous in that it was not signed by all parties. However, Commission rule 4 CSR 240-2.115(2) provides that other parties have seven days in which to object to a non-unanimous stipulation and agreement. If no party files a timely objection to a stipulation and agreement, the Commission may treat it as a unanimous stipulation and agreement. More than seven days have passed since the sStipulation and Agreement was filed, and no party has objected. Therefore, the Commission will treat the Stipulation and Agreement as a unanimous agreement.

After reviewing the Stipulation and Agreement, the Commission independently finds and concludes that it is a reasonable resolution of the complaints and that such an agreement should be approved.

The Commission finds good cause exists to allow this order to go into effect on less than thirty days notice, since it allows TUK’s water customers to receive their reimbursements sooner. Furthermore, this allows the noncontested agreement to better coincide with the November 21 effective date of the Commission’s order granting TUK’s sewer system CCN.

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<sup>3</sup> On October 22, 2015, the Commission granted TUK a CCN to provide sewer service in Jefferson County, Missouri in File No. WA-2015-0169 et al.

**THE COMMISSION ORDERS THAT:**

1. The Stipulation and Agreement filed on October 7, 2015, is approved. The parties are ordered to comply with the Stipulation and Agreement, which is incorporated herein in its entirety. The Stipulation and Agreement shall be attached to this order as Appendix A.
2. This order shall be effective on November 28, 2015.
3. These files shall be closed on November 30, 2015.



**BY THE COMMISSION**

*Morris L. Woodruff*

Morris L. Woodruff  
Secretary

Hall, Chm., Stoll, Kenney,  
Rupp, and Coleman, CC., concur.

Burton, Regulatory Law Judge.