

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office
in Jefferson City on the 25th
day of July, 2008.

The Staff of the Missouri Public Service)
Commission,)
)
Complainant,)
)
v.)
)
Suburban Water and Sewer Company,)
Inc., and Gordon Burnam,)
)
Respondents.)

Case No. WC-2008-0030

**ORDER APPROVING STIPULATION AND AGREEMENT,
ADOPTING ITS CONDITIONS AND REQUIRING COMPLIANCE
THEREWITH, AND DISMISSING GORDON BURNAM**

Issue Date: July 25, 2008

Effective Date: August 5, 2008

On July 27, 2007, the Staff filed a Complaint against Suburban and Gordon Burnam alleging that Suburban was failing to provide safe and adequate water service to its customers and asking the Commission to order the Respondents to make improvements to the water system. The Staff claimed that Suburban needed: additional water meters, a ten year meter replacement program, flush valves, a certified operator, a pressure reducing valve, a new standpipe, and improvements in order to maintain adequate system pressure.

On September 20, 2007, the Staff filed a report describing significant improvements to the Suburban water system. Suburban hired a certified operator to operate the system, installed many new water meters, provided a plan of the water distribution system, installed flush valves, and the system appeared to be maintaining adequate water pressure.

On November 13, 2007, the Staff filed a supplemental report describing the status of improvement projects at Suburban. Suburban installed meters on all of its service connections and Staff verified that the flush valves were successfully flushing Suburban's water system. On January 4, 2008, the Staff filed an updated report alleging continued deficiencies with the standpipe and requesting a hearing and disposition of this case.

In anticipation of a July 8, 2008 evidentiary hearing, the Staff listed as remaining issues were replacing the standpipe and maintaining system integrity. On July 3, 2008, the parties present a stipulation and agreement as a resolution of all contested issues in this case.

The Stipulation and Agreement is attached hereto and marked as Attachment "A". It is incorporated as if fully set forth herein. The Commission notes the "System Improvements," which the Commission requires Suburban to undertake and accomplish as follows:

Suburban shall dismantle and remove its current standpipe and replace it with a standpipe of sufficient dimension to provide safe and adequate water service to Suburban's customers. Suburban must acquire the approval of the Department of Natural Resources (DNR) prior to construction of the new standpipe. Suburban will exercise its best efforts, in good faith, to obtain such DNR approval. Suburban agrees to provide the Staff with copies of all information provided to DNR regarding the standpipe project. Suburban agrees to submit its standpipe project application to DNR no later than August 15, 2008. Suburban agrees to comply with DNR plan modification requests that are consistent with DNR regulations. Suburban agrees to inform Staff of such requirements. Suburban agrees to provide the Staff with status reports regarding construction progress every 6 weeks with the first report due 6 weeks after the effective date of an order approving this stipulation and

agreement. The standpipe project shall be completed and the standpipe fully operational and used for service no later than March 31, 2009, unless an extension of time is granted by the Public Service Commission. Suburban shall continue to provide monthly reports regarding master meter and customer meter readings in order for the Staff to monitor for any water leakage in the system.

The Stipulation and Agreement contained other provisions pertaining to the settlement of the matter that the Commission approves, but need not reiterate here. On July 7, 2008, the parties jointly filed an Agreement and Notice of Dismissal in which Mr. Gordon Burnam was dismissed from this matter. The Commission approves the dismissal of Mr. Burnam from this matter.

Having reviewed the Stipulation and Agreement, the Commission finds it reasonable and lawful to approve the Stipulation and Agreement, to require compliance with the "System Improvement" requirements set forth above and to dismiss Mr. Burnam from this matter.

IT IS ORDERED THAT:

1. The unanimous Stipulation and Agreement filed by the Parties is approved.

A copy of the Agreement is attached to this order.

2. Suburban shall comply with the "System Improvement" requirements set forth above.
3. Mr. Gordon Burnam is dismissed from this matter.
4. This order shall become effective on August 5, 2008.

5. This case may be closed on August 6, 2008.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale
Secretary

(S E A L)

Davis, Chm., Murray, Clayton,
Jarrett, and Gunn, CC., concur.

Dale, Chief Regulatory Law Judge