

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

In the Matter of the Application of Lakeland)
Heights Water Company, Inc. for a Small)
Company Rate Increase)

Case No. WR-2009-0227

**NOTICE OF UNANIMOUS AGREEMENT REGARDING DISPOSITION
OF SMALL COMPANY RATE INCREASE REQUEST**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its *Notice of Unanimous Agreement Regarding Disposition of Small Company Rate Increase Request* (Notice) states the following:

1. On November 26, 2008, the Missouri Public Service Commission (Commission) received a Rate Increase Request Letter from Lakeland Heights Water Company Inc. (Company), requesting the Commission allow an increase of \$10,200 in its annual operating revenues pursuant to Commission Rule 4 CSR 240-3.050 (Small Utility Rate Case Procedure).

2. Subsequent to Staff's investigation and pursuant to negotiations between the Company, Staff, and OPC, all parties have been able to reach a *Unanimous Agreement Regarding Disposition of Small Water Company Revenue Increase Request* (Unanimous Agreement).

3. Included in Appendix A, attached hereto, is a copy of the above-referenced Unanimous Agreement, as well as various attachments related to the Unanimous Agreement. Additionally, Appendix A contains affidavits from Staff members that participated in the investigation of this matter.

4. As agreed-upon by the parties to this case, the Unanimous Agreement provides for an increase of \$7,651 in Company's annual operating revenues.

Appendix A

5. Pursuant to Rule 4 CSR 240-3.050(13), “[i]f the disposition agreement filed by the staff provides for a full resolution of the utility’s request and is executed by the utility, the staff and the public counsel, the utility shall file new and/or revised tariff sheets, bearing an effective date that is not fewer than (30) days after they are filed, to implement the agreement.” The Company will file the substitute tariff sheet No. 4 on August 13, 2009, seeking to implement the terms of the Unanimous Agreement. This tariff sheet bears the minimum 30-day effective date of September 12, 2009.

6. The Company is current on its payment of Commission assessments and on its filings of annual reports and statements of revenue; and has no other cases pending before the Commission.

WHEREFORE, Staff respectfully submits this Notice and the attached Appendix A for the Commission's information and consideration in this case and requests that the Commission enter an Order adopting the terms agreed upon by Staff, the Company, and OPC.

Respectfully submitted,

/s/ Samuel D. Ritchie

Samuel D. Ritchie

Missouri Bar No. 61167

Attorney for the Staff of the

Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 751-4140 (Telephone)

(573) 751-9285 (Fax)

samuel.ritchie@psc.mo.gov (e-mail)

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 29th day of July 2009.

/s/ Samuel D. Ritchie

APPENDIX A

STAFF PARTICIPANT AFFIDAVITS AND DISPOSITION AGREEMENT & ATTACHMENTS

CASE NO. WR-2009-0227

Note: To browse through this document by item, click on the "Bookmark" tab at the top of the menu bar to the left of the screen and then click on the item that you want to see.

Table of Contents

Staff Participant Affidavits

Unanimous Disposition Agreement

Agreement Attachment A:	Example Tariff Sheets
Agreement Attachment B:	Rate Design Worksheet
Agreement Attachment C:	Billing Comparison Worksheet
Agreement Attachment D:	Company Payment Plan
Agreement Attachment E:	EMSD Report
Agreement Attachment F:	Summary of Case Events

Staff Participant Affidavits

David A. Spratt – Water & Sewer Department

Deborah A. Bernsen– Engineering & Management Services Department

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

AFFIDAVIT OF DAVID A. SPRATT

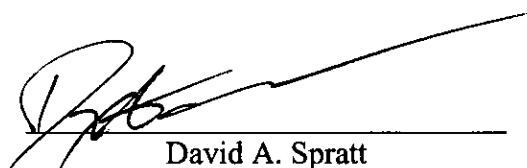
STATE OF MISSOURI

ss.

COUNTY OF COLE

)
) Case No. WR-2009-0227
)
)

COMES NOW David A. Spratt, being of lawful age, and on his oath states the following: (1) that he is a Technical Specialist in the Missouri Public Service Commission's Water & Sewer Department; (2) that he participated in the Staff's investigation of the small company rate increase request that is the subject of the instant case; (3) that he was responsible for the preparation of the following *Unanimous Agreement Regarding Disposition of Small Water Company Revenue Increase Request* ("Disposition Agreement"); (4) that he was responsible for the preparation of Attachments A, B, C and E to the Disposition Agreement; (5) that he has knowledge of the matters set forth in the Disposition Agreement and the above-referenced attachments thereto; and (6) that the matters set forth in this Disposition Agreement and the above-referenced attachments thereto are true and correct to the best of his knowledge, information, and belief.



David A. Spratt
Technical Specialist
Water and Sewer Department

Subscribed and sworn to before me this 16th day of July, 2009.



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086



Notary Public

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

AFFIDAVIT OF DEBORAH A. BERNSEN

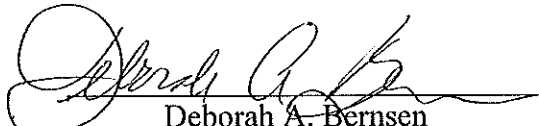
STATE OF MISSOURI

ss.

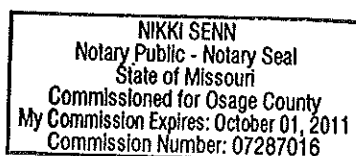
COUNTY OF COLE


)
) Case No. WR-2009-0227
)
)

COMES NOW Deborah A. Bernsen, being of lawful age, and on her oath states the following: (1) that she is a(n) Utility Management Analyst III in the Missouri Public Service Commission's Engineering & Management Services Department; (2) that she participated in the Staff's investigation of the small company rate increase request that is the subject of the instant case; (3) that she has knowledge of the foregoing *Unanimous Agreement Regarding Disposition of Small Water Company Revenue Increase Request* ("Disposition Agreement"); (4) that she was responsible for the preparation of Attachment D to the Disposition Agreement; (5) that she has knowledge of the matters set forth in Attachment D to the Disposition Agreement; and (6) that the matters set forth in Attachment D to the Disposition Agreement are true and correct to the best of her knowledge, information, and belief.


Deborah A. Bernsen
Utility Management Analyst III
Engineering & Management
Services Department

Subscribed and sworn to before me this 17th day of July, 2009.




Notary Public

Unanimous Disposition Agreement

UNANIMOUS AGREEMENT REGARDING DISPOSITION
OF SMALL WATER COMPANY REVENUE INCREASE REQUEST

LAKELAND HEIGHTS WATER COMPANY

MO PSC CASE NO. WR-2009-0227

BACKGROUND

Lakeland Heights Water Company ("Company") initiated the small company revenue increase request ("Request") for water service that is the subject of the above-referenced Missouri Public Service Commission ("Commission") Case Number by submitting a letter to the Secretary of the Commission in accordance with the provisions of Commission Rule 4 CSR 240-3.050, Small Utility Rate Case Procedure ("Small Company Procedure"). In its request letter, which was received at the Commission's offices on November 26, 2008, the Company set forth its request for an increase of \$10,200 in its total annual water service operating revenues. The Company also acknowledged that the design of its customer rates, its service charges, its customer service practices, its general business practices and its general tariff provisions would be reviewed during the Commission Staff's ("Staff") review of the revenue increase request, and could thus be the subject of Staff recommendations. The Company provides service to approximately 113 customers.

Pursuant to the provisions of the Small Company Procedure and related internal operating procedures, Staff initiated an audit of the Company's books and records, a review of the Company's customer service and general business practices, a review of the Company's existing tariff, an inspection of the Company's facilities and a review of the Company's operation of its facilities. (Hereafter, these activities are collectively referred to as Staff's "investigation" of the Company's Request.)

Upon completion of its investigation of the Company's Request, Staff provided the Company and the Office of the Public Counsel ("OPC") with the results of the investigation, as well as its initial recommendations for the resolution of the Company's Request, and various other information regarding Staff's investigation.

On April 27, 2009, Staff and the Company filed a Company/Staff Disposition Agreement. The Company filed related tariff revisions P.S.C. MO No. 2 2nd Revised Sheet No. 4 Canceling 1st Revised Sheet No. 4 ("No. 4") and P.S.C. MO No. 2 2nd Revised Sheet No. 5 Canceling 1st Revised Sheet No. 5 ("No. 5") on April 30, 2009.

RESOLUTION OF THE COMPANY'S RATE INCREASE REQUEST

Pursuant to negotiations held subsequent to the Company's and the OPC's receipt of the above-referenced information regarding Staff's investigation of the Company's Request, Staff, OPC and the Company hereby state the following agreements.

- (1) That for the purpose of implementing the agreements set out herein, the Company will file with the Commission revised tariff sheets No. 4 and No. 5 intended to both reflect the terms of this agreement and to supersede those tariff sheets No. 4 and No. 5 filed with the Commission on April 30, 2009. These revised tariff sheets shall be filed on or before August 13, 2009, shall bear an effective date of September 12, 2009, and shall contain the rates, charges and language set out in the example revised tariff sheets attached hereto as Attachment A.
- (2) That the rates set out in the example revised tariff sheets No. 4 and No. 5 attached hereto as Attachment A, are designed to generate additional revenues of \$7,651
- (3) That the rates set out in the attached example tariff sheets, the development of which is shown on the rate design worksheet attached hereto as Attachment B, are designed to generate revenues sufficient to recover the agreed-upon total annualized cost of service for the Company.
- (4) That the rates included in the attached example tariff sheets will result in the residential customer impacts shown on the billing comparison worksheet attached hereto as Attachment C.
- (5) That the rates included in the attached example tariff sheets are just and reasonable, and that the provisions of the attached example tariff sheets also properly reflect all other agreements set out herein, where necessary.
- (6) The Company will maintain all of its financial records in accordance with the Commission's Uniform System of Accounts
- (7) The Company shall segregate company purchases from personal purchases.
- (8) No later than September 1, 2009, the Company will implement the attached written plan to pay amounts owed for pumps purchased/repaired by MACO, legal fees, and the storage building used by the utility attached hereto as Attachment D.
- (9) Within thirty (30) days of the effective date of an order approving this Unanimous Disposition Agreement, the Company will implement the recommendations contained in the Engineering & Management Services Department (EMSD) Report attached hereto as Attachment E. These recommendations include the following:
 - a. The Company will implement a bill format that is consistent with Commission Rule 4 CSR 240-13.020(9) and includes 1) the billing period, 2) previous balance owed, and 3) other charges.

- b. Refund and/or credit to customers all fees that have been inappropriately collected of customers including returned check and reconnection fees.
- c. Charge and refund customer deposits consistent with Commission Rule 4 CSR 240-13.030 and the Company's tariffs. Specifically, the Company should ensure that customers are provided the opportunity to establish an acceptable credit rating under standards contained in its tariff. The Company should ensure that deposit amounts are appropriately calculated using criteria specified in its tariff. If determined appropriate to charge a deposit, they should be refunded upon satisfactory payment for 12 billing months and with appropriate interest.
- d. Review all customer deposits currently held with the Company and if they meet criteria specified in 4 CSR 240-13.030(4)(D), refund deposits with interest to its customers.
- e. Ensure all customer complaints received by Company personnel are documented and maintained for at least two years. Documentation shall include customer name, address, the nature of the complaint, date of occurrence, as well as an explanation of what the Company has done to address the complaint as explained in Commission Rule 4 CSR 240-13.040(5).
- f. Perform monthly bill checking on a sample of bills and correct past billing errors to customers.
- g. Ensure that customers are consistently provided twenty-one (21) days from rendition of bills until payment is due as required by Commission Rule 4 CSR 240-13.020(7).
- h. Ensure that customers are consistently provided at least 21 days from rendition (or the mailing) of their bills until payment is due as required by Commission Rule 4 CSR 240-13.020(7).

(10) Within six (6) months of the effective date of an order approving this Unanimous Disposition Agreement, the Company will implement the recommendations contained in the Engineering & Management Services Department (EMSD) Report. These recommendations include the following:

- a. Analyze automated billing software and consider use of a cost-effective automated system that would more efficiently and accurately handle the calculation and preparation of customer bills.
- b. Store all critical papers in fire proof storage.

- c. Institute time reporting by specific utility for the Company's owners and any contractors it may employ.

(11) The Company will mail its customers a written notice of the rates and charges included in its proposed tariff revisions within fifteen (15) days of the issuance of the Commission Order approving the terms of this Unanimous Disposition Agreement. The notice will include a summary of the impact of the proposed rates on an average residential customer's bill. When the Company mails the notice to its customers, it will also send a copy to Staff and Staff will file a copy in the subject case file.

(12) That Staff will conduct follow-up reviews of the Company's operations to ensure that the Company has complied with the provisions of this Unanimous Disposition Agreement.

(13) That Staff or OPC may file a formal complaint against it, if the Company does not comply with the provisions of this Unanimous Disposition Agreement.

(14) That the Company, Staff and OPC agree that each party has read the foregoing Unanimous Agreement Regarding Disposition of Small Water Company Revenue Increase Request; that upon each party's best knowledge and belief the facts stated therein are true; that the foregoing conditions accurately reflect the agreement reached between the Company, Staff and OPC and that each party freely and voluntarily enters into this agreement.

(15) That the above agreements satisfactorily resolve all issues identified by the Staff, OPC and the Company regarding the Company's Request, except as otherwise specifically stated herein.

ADDITIONAL MATTERS

Other than the specific conditions agreed upon and expressly set out herein, the terms of this Unanimous Disposition Agreement reflect compromises between Staff, OPC and the Company, and no party has agreed to any particular ratemaking principle in arriving at the amount of the annual operating revenue increase specified herein.

Staff has completed a Summary of Case Events and has included that summary as Attachment F to this Unanimous Disposition Agreement.


The Company, OPC and Staff acknowledge that Staff will be filing this Unanimous Disposition Agreement and the attachments hereto, in the existing case and that the Company will file the proposed tariff revisions called for in the agreement. The Company and OPC also acknowledge that Staff may make other filings in this case.

Additionally, the Company and OPC agree that Staff shall have the right to provide whatever oral explanation the Commission may request regarding this Unanimous Disposition Agreement at any agenda meeting at which that case is noticed to be considered by the Commission. These parties will be available to answer Commission questions regarding this Unanimous Disposition Agreement. To the extent reasonably practicable, Staff shall provide the Company and OPC with advanced notice of any such agenda meeting so that they may have the opportunity to also be represented at the meeting.

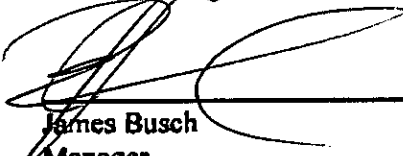
EFFECTIVE DATE AND SIGNATURES

This Unanimous Disposition Agreement shall be considered effective as of the date that the Company files the proposed tariff revisions required herein with the Commission.


Agreement Signed and Dated:


Rodger Owens
President
Lakeland Heights Water Company

07-28-09
Date


James Busch
Manager
Water & Sewer Department
Missouri Public Service Commission Staff

7/28/09
Date


Christina L. Baker
Senior Public Counsel
Office of the Public Counsel.

7-28-09
Date

List of Attachments

- Attachment A - Example Tariff Sheets
- Attachment B - Rate Design Worksheet
- Attachment C - Billing Comparison Worksheet
- Attachment D - Company Payment Plan
- Attachment E - EMSD Report
- Attachment F - Summary of Case Events

Agreement Attachment A

Example Tariff Sheets

FORM NO. 13 P.S.C. MO No. 2

2nd Revised Sheet No. 4

Canceling P.S.C.MO. No. 2

Canceling 1st Revised Sheet No. 4**Lakeland Heights Water Company Inc.****For: Unincorporated Area in Wayne
and Butler County, Missouri**

Name of Issuing Company

Certificated Service Area

SCHEDULE OF RATES**AVAILABILITY**

The following rates are applicable to all residential customers adjacent to the Company's distribution mains using standard water service.

Monthly Minimum (includes 2,000 gal)	\$ 12.29	*
Commodity Charge (per 1,000 gallons over 2,000 gal)	\$ 4.46	*
Flat Rate (Prior to installation per month)	\$ 12.29	*
(Per Year)	\$ 147.48	*
(Per Quarter)	\$ 36.87	*

SERVICE CONNECTION

Charge for new service connection	\$ 850.00	*
-----------------------------------	-----------	---

Taxes:

Any applicable Federal, State or Local taxes computed on billing basis shall be added as separate items in rendering each bill. *

* Indicates New Rate or Text

+ Indicates Changed Rate or Text

Issue Date: August 13, 2009
Month/Day/Year

Effective Date: September 12, 2009
Month/Day/Year

Issued By: Rodger Owens, President
Name & Title of Issuing Officer

PO Box 24 Wappapello, MO 63966
Company Mailing Address

FORM NO. 13 P.S.C. MO No. 2

1st Revised Sheet No. 5

Canceling P.S.C.MO. No. 2

Canceling Original Sheet No. 5**Lakeland Heights Water Company Inc.****For: Unincorporated Area in Wayne
and Butler County, Missouri**

Name of Issuing Company

Certificated Service Area

SCHEDULE OF SERVICE CHARGES

These charges are applicable to the Company's services provide for in the corresponding rules:

Turn-on Fee	\$25.00	*
Turn-off Fee	\$25.00	*

Late Charges:

*

Billings will be made and distributed at monthly intervals. Bills will be rendered net, bearing the last due date on which payment will then be considered delinquent. The period after which payment will then be considered delinquent is 21 days after rendition of the bill. A charge of \$5.00 (or 1% whichever is greater) will be added to delinquent amounts.

Returned Check Charge:

*

A returned check charge of \$25 per check will be paid on all checks returned from the bank for insufficient funds.

* Indicates New Rate or Text

+ Indicates Changed Rate or Text

Issue Date: August 13, 2009
Month/Day/YearEffective Date: September 12, 2009
Month/Day/YearIssued By: Rodger Owens, President
Name & Title of Issuing OfficerPO Box 24 Wappapello, MO 63966
Company Mailing Address

Agreement Attachment B

Rate Design Worksheet

LAKELAND HEIGHTS WATER

Development of Tariffed Rates-Water

Agreement is to increase currently tariffed rates by a percentage equal to the agreed-upon overall revenue increase divided by the revenues generated by the currently tariffed rates.

Revenues Generated by Current Tariffed Rates	\$ 11,859
Agreed-Upon Overall Revenue Increase	\$ 7,651
Percentage Increase Needed	64.52%

Customer Rates

Customer Type	Current Service Charge	Proposed Service Charge	Current Usage Rate	Proposed Usage Rate
Residential	\$ 7.47	\$ 12.29	\$ 2.71	\$ 4.46
Unmetered	\$ 7.47	\$ 12.29		

Agreement Attachment C

Billing Comparison Worksheet

LAKELAND HEIGHTS WATER

Residential Customer Bill Comparison-Water

Rates for Residential Customers

<u>Current Base Customer Charge</u>	<u>Proposed Base Customer Charge</u>	<u>Current Usage Rate</u>	<u>Proposed Usage Rate</u>
\$7.47	\$12.29	\$2.71	\$4.46

Current customer monthly charge includes 2,000 gallons

usage rate is per 1,000 gallons used

MONTHLY BILL COMPARISON

6,000 gallons/month usage

Current Rates

Customer Charge	\$ 7.47
Usage Charge	\$ 10.84
Total Bill	\$ 18.31

Proposed Rates

Customer Charge	\$ 12.29
Usage Charge	\$ 17.83
Total Bill	\$ 30.12

INCREASES

Customer Charge

\$ Increase	\$4.82
% Increase	64.52%

Usage Charge

\$ Increase	\$6.99
% Increase	64.52%

Total Bill

\$ Increase	\$11.81
% Increase	64.52%

Agreement Attachment D

Company Payment Plan

WRITTEN PAYMENT PLANS

The following is a written payment plan between R.D. Sewer Company, L.L.C., Oakbrier Water Company, Lakeland Heights Water Company and Whispering Hills Water system (referred to as the Companies and the creditors herein identified and approved by each below, as also referenced in the P.S.C. cases R.D. Sewer, L.L.C., Case No SR-2009-0226; Oakbrier Water Company; Cases No WR-2009-0229; Lakeland Heights Water Company, Case No WR-2009-0227, and Whispering Hills Water System, Case No. WM-2009-0436:

1. MACO debt for Plan verses expense items: over an eight year period at the rate of \$1,521 yearly payable on a monthly basis with equal monthly payments beginning September 1, 2009, until paid with the right of prepayment at anytime and subject to the approval of MACO.
2. Legal Fees-(Allen Law Offices and Holden Law Offices) payable over an eight year period at the rate of \$1,821.00 per year on a monthly basis with equal monthly payments beginning September 1, 2009, until paid with the right of prepayment at any time and subject to the approval of each firm.
3. Storage Building: Payable to Stephen Holden, Dexter, Missouri, over an eight year period at the rate of \$1,600 per year on a monthly basis with equal monthly payments beginning September 1, 2009, until paid with the right of prepayment at any time and subject to the approval of Stephen Holden.

This payment plan is conditioned on approval by the Missouri Public Service Commission (Commission) of the three Disposition Agreements in the above referenced cases and the Stipulation and Agreement in WM-2009-0436, and effective as of the effective date of a Commission Order approving such Disposition Agreements and Stipulation and Agreement.

Dated: 7/24/09


Dated: 7/28/09

Dated: 7/27/09

Dated: 7/27/09


MACO


Allen Law Offices, LLC


Holden Law Office, P.C. and Stephen Holden

Individually


Rodger Owens, for the Companies

Agreement Attachment E

EMSD Report

REPORT OF CUSTOMER SERVICE AND BUSINESS OPERATIONS REVIEW

Engineering and Management Services Department

Small Company Rate Increase Request

Case No: WR-2009-0227

Lakeland Heights Water Company

The Engineering and Management Services Department (EMSD) staff initiated a review of the customer service processes, procedures, and practices of Lakeland Heights Water Company, Inc. (Lakeland Heights, Company) on December 10, 2008. The review was performed in conjunction with a small company rate increase request submitted by the Company on November 26, 2008, and given case number WR-2009-0227. The EMSD staff examined Company tariffs, annual reports, Commission complaint and inquiry records, and information provided by the Company in relation to its customer service and business office operations. The EMSD staff also visited the Company's business office and made a tour of the plant facilities and met with the Company on January 21, 2009. The Company's rate increase request for annual water system operating revenues is \$10,200.

The purpose of the EMSD is to promote and encourage efficient and effective utility management. This purpose contributes to the Commission's overall mission to ensure that customers receive safe and adequate service at the lowest possible cost, while providing utilities the opportunity to earn a fair return on their investment.

The objectives of the EMSD staff's review were to document and analyze the management control processes, procedures, and practices used by the Company to ensure that adequate customer service is provided. The findings of this review provide the Commission with information regarding the Company's customer service operations. This review also includes recommendations, when appropriate, to improve the quality of service that Lakeland Heights Water Company provides to its customers.

The scope of this review focused on Company policies, procedures, and practices related to:

- Customer Billing
- Payment Remittance

- Credit and Collections
- Complaint and Inquiry Handling and Recording
- Customer Communications and Information
- Record Storage and Security
- Time Reporting

Overview

Lakeland Heights was granted a certificate of public convenience and necessity by the Missouri Public Service Commission in January of 1968 to provide water service in Butler and Wayne counties. In 1997, the Company was purchased by its current owners, who currently reside in Bernie, Missouri. The Company's owners also own three other utility systems: Oakbrier Estates Water Company, Whispering Hills Water System, and R.D. Sewer Company. Lakeland Heights is operated by the Company's two owners who fulfill operational, managerial, and office duty responsibilities.

One of the Company's owners also serves as the Company's President, Manager and Operator. The other owner serves as the Company's Secretary and Billing Clerk and is responsible for general office duties. She also assists in the field to read meters and repair leaks. The Company President is responsible for operating the system and keeping it in good working order, as well as complying with regulations of the Department of Natural Resources (DNR). The Office Manager is responsible for recording payments, credit and collections and other office functions of the Company. There is currently no mechanism to track hours spent on the owners' work performed for Lakeland Heights.

The EMSD staff made an on-site visit to Lakeland Heights on January 21, 2009. During its visit, the staff conducted interviews with the Company's owners and visited the Company's well house located off County Road 510 in Butler County, Wappapello, Missouri. At the time of the staff's visit, the Company was provided copies of Commission Rules pertaining to water and sewer companies.

The Company indicated that its office hours for all of its utility systems are from 8 a.m. to 4 p.m., Monday through Friday. The Company's business office is located in the owner's residence at 406 South Allen, Bernie, Missouri.

Customer Billing

Meter reading and billing are performed by the Company's owners. The Company indicated that all new customers are mailed a customer agreement to sign and return with an appropriate payment which could include a tap fee and/or a meter deposit. Per the Company's tariff, deposits may be required and are to be an amount not to exceed the estimated bill for one billing period plus thirty days. The Company indicated it had collected a minimal number of deposits over the last three years and normally set this amount at \$35 per customer. The table below displays the Company's customer deposits for years 2006, 2007 and 2008.

Deposits

Year	Number	Amount	Total
2006	4	\$35	\$140
2007	9	\$35	\$315
2008	2	\$35	\$70

Source: Company response to EMSD staff information request

The customers' water bills are to be calculated in the following manner per the Company's tariff:

For Unmetered Customers: Per Year	\$89.64
-----------------------------------	---------

For Metered Customers:

First 2,000 gallons (monthly minimum)	\$ 7.47
---------------------------------------	---------

Usage over 2,000 gallons (per 1,000 gallons)	\$ 2.71
--	---------

Bills are prepared manually and include: the present reading, the previous reading, the number of gallons used and the corresponding amount of charges. There is a statement at the bottom of the bill which addresses late, reconnection, and returned check fees. The Company's owner indicated that they do not employ any bill checking procedures to review the accuracy of the bills.

The Company indicates that meters are read at the end of the month, usually on the 27th or 28th. Billing cards are mailed by the 30th or the 31st of the month; however, there is no date on the bill other than the indication that bills are due on the 20th of the month. The bill includes a notice to the customer to add \$3.00 if it is not paid by

the 20th of the month. If payment is not received by the 25th, service will be disconnected. While the Company has indicated it has not collected fees for late payments, fees of this nature must be included in the Company's tariffs. At this time, the tariffs do not address any fee for late payments.

Meters may be estimated during the winter periods when weather makes accessing the meters difficult.

Payment Remittance

Lakeland Heights payment options include cash or check. Payments may be dropped off at the Company office or mailed and the Company does accept payments while in the field. No electronic payments are currently offered to customers.

Payments are recorded manually into the Company office records and the Company indicates it usually makes bank deposits two to three times a week for the four utilities it owns. Customer payments are stored in a small safe at the Company until deposits are made.

Credit and Collections

The Company indicates it collects signed applications or agreements from new customers. The Company's tariff provides the opportunity to charge a deposit that is calculated on one month's historical usage plus thirty days.

The Company's bill indicates it will charge fees such as late fees and returned check charges. While the EMSD staff supports a utility's use of returned check and late payment fees, EMSD staff did not find provisions for such fees in the Company tariffs. Staff from the Commission's Water and Sewer Department reviewed miscellaneous charges included in the Company's tariff as part of the small company informal rate case process and will be recommending appropriate changes. Lakeland Heights has not received any returned checks for the past three years.

Customers are considered delinquent if payment is not received by the 25th of the month following that in which a bill is rendered. The Company's billing statement indicates that service will be disconnected. For customers not making payment of their bill, the amount is added to the next monthly billing statement before service is actually

subject to disconnection. The Company provides written delinquent notices indicating service will be subject to disconnection if payment is not received within thirty days. The Company also makes follow-up phone calls requesting payment.

The Company did not perform any non-pay service disconnections in the Lakeland Heights service territory during 2006, 2007, or 2008. During 2008, five customers had accounts in arrears with a total balance of \$174.80. The Company does not employ the services of an outside collection agency. There was only one account written-off by the Company in the last three years. This occurred in 2006 and was for \$33.40.

Complaint and Inquiry Handling and Recording

Customer calls are primarily handled by the Office Manager; however, the Operations Manager can also handle customer calls. The Company currently does not track these calls.

Customer Communications and Information

The Company indicated that all new customers are mailed a customer agreement to sign and return with either a tap fee and meter deposit or just meter deposit. The Company indicates that service is provided as soon as payment and the agreements are received. The office phone number is provided on the customer agreement form, as well as on the customer bills.

Company contact information is provided on customer bills. All office, home, and cell phone numbers are posted on all water bills, as well as an email address.

Records Storage and Security

Much of the Company's business office work is performed manually and is maintained in hard copy. Customer records, including meter reading, billing, agreements, general ledger and other types of records are not stored in a fireproof location.

Time Reporting

The Company's owners also own and operate three other regulated utilities in addition to Lakeland Heights. A typical work day may involve performing tasks for more than one of these utilities. Presently, the Company has no systematic way to track the amount of hours spent on work for any one individual utility.

Findings, Conclusions, and Recommendations

The following discussion contains findings, conclusions, and recommendations pertaining to Lakeland Heights Water customer service operations. This section focuses on the following areas that warrant Company management attention:

- Customer Billing
- Credit and Collections
- Complaint and Inquiry Handling and Recording
- Customer Communications and Information
- Records Storage and Security
- Time Reporting

Customer Billing

The Company does not currently perform periodic bill checking on the monthly bills sent to its customers prior to mailing to ensure the accuracy of its bills. In addition, Commission staff from the Auditing Department noted some errors in the calculations it performed on a sample of customer bills. By performing a periodic check of a sampling of customer bills, the Company will develop an additional internal control to help ensure that bills are calculated accurately.

THE EMSD STAFF RECOMMENDS THAT COMPANY MANAGEMENT:

Perform monthly bill checking on a sample of bills and correct past billing errors to customers.

The Company has not taken advantage of the opportunities for improvement to automate the Company's billing process. The Company currently performs its billing for Lakeland Heights, as well as its other three regulated utilities, manually. The Company

may consider utilizing the capabilities of its current spreadsheet to assist it in bill calculation or may consider the acquisition of a billing system. Implementation of an effective billing system would enhance the Company's customer record keeping activities. Calculation of the bills, preparation of the billing statements, detection of billing errors, and recording of the payments received could be improved with a more effective billing system.

THE EMSD STAFF RECOMMENDS THAT COMPANY MANAGEMENT:

Analyze automated billing software and consider use of a cost-effective automated system that would more efficiently and accurately handle the calculation and preparation of customer bills.

The Company's current bill format does not provide information to its customers required by Commission Rule 4 CSR 240-13.020(9). Specifically, the current bill format is lacking the billing period, previous balance owed and amounts due for other authorized charges such as primacy fees.

THE EMSD STAFF RECOMMENDS THAT COMPANY MANAGEMENT:

Implement a bill format that is consistent with Commission Rule 4 CSR 240-13.020(9) and includes 1) the billing period, 2) previous balance owed and 3) other charges.

The Company inaccurately dates its customer bills on the first of each month with a due date of the 20th. Although the Company indicates it mails bills prior to the billing date that is presented on customer bills, the current date of the Company's bills provides the appearance that customers are not being provided 21 days from rendition or mailing of the bill until the bill is due. Commission Rule 4 CSR 240-13.020(7) provides that:

“...a monthly-billed customer shall have at least twenty-one (21) days and a quarterly billed customer shall have at least sixteen (16) days from the rendition of the bill to pay the utility charges unless a customer has selected a preferred payment date in accordance with a utility's preferred payment date in accordance with a utility's preferred payment date plan.”

THE EMSD STAFF RECOMMENDS THAT COMPANY MANAGEMENT:

Ensure that customers are consistently provided at least 21 days from rendition (or the mailing) of their bills until payment is due as required by Commission Rule 4 CSR 240-13.020(7).

Credit and Collections

The Company is currently charging or indicating on its bill that it will charge customers for fees that are either not provided in their tariffs or are authorized at rates other than what the utility is charging its customers. Specifically, the Company's bill indicates a service fee of \$15.00 will be charged for all returned checks, a \$36.00 reconnect fee will be charged for services disconnected for non-payment and a late fee of \$3.00 will be added to all bills not paid by the 25th of the month.

While the Company indicated it has not had any returned checks nor assessed any late fees for the past three years, it needs to ensure that all charges it represents to its customers are appropriately approved in its tariffs. The Company has historically had delinquent accounts and write-offs. If fees are charged, such fees should be appropriately addressed in the Company's tariffs.

The Company's bill indicates it will charge a reconnect fee of \$36.00 for service disconnected for non-payment plus the amount of the delinquent bill; however, the Company's tariffs do not specify indicate any specific charge for reconnection of service after a non-pay disconnect. The Company indicates it has not disconnected service for non-payment in the last three years. The Commission's Water and Sewer Department will be addressing matters of the Company's tariff.

THE EMSD STAFF RECOMMENDS THAT COMPANY MANAGEMENT:

Ensure that all rates and fees charged to customers, such as late, returned check and reconnection fees have been approved by the Missouri Public Service Commission and are present in the Company's tariffs.

Refund and/or credit to customers all fees that have been inappropriately collected of customers including returned check, late, and reconnection fees.

The Company is presently charging new customers a deposit, but is not refunding deposits to customers with good payment history. The Company is charging set amounts and is not refunding deposits with appropriate interest as required by Commission Rules, 4 CSR 240-13.040(1)(C), 4 CSR 240-13.040(4)(B)(D) and the Company tariffs. Of the deposits the Company has on file, all were charged identical amounts of \$35.00 instead of calculated, per the Company's tariff, of not exceeding utility charges applicable to one billing period plus thirty days computed on estimated or actual annual usage. The Company indicates it has not been refunding deposits until customers leave its system and was not aware that it was required to refund deposits with interest.

THE EMSD STAFF RECOMMENDS THAT COMPANY MANAGEMENT:

Charge and refund customer deposits consistent with Commission Rule 4 CSR 240-13.030 and the Company's tariffs. Specifically, the Company should ensure that customers are provided the opportunity to establish an acceptable credit rating under standards contained in its tariff. The Company should ensure that deposit amounts are appropriately calculated using criteria specified in its tariff. If determined appropriate to charge a deposit, they should be refunded upon satisfactory payment for 12 billing months and with appropriate interest.

Review all customer deposits currently held with the Company and if they meet criteria specified in 4 CSR 240-13.030(4)(D), refund deposits with interest to its customers.

Complaint and Inquiry Handling and Recording

The Company cannot demonstrate that documentation of complaints received by the Company is being performed, which is a violation of Commission Rule 4 CSR 240-13.040(5) which states:

“A utility shall maintain records on its customers for at least two (2) years which contain information concerning:
(B) The number and general description of complaints registered with the utility;”

The lack of a comprehensive complaint log makes it difficult for Company management to evaluate the reasons for customer contacts and to determine if any measures could be taken to improve customer satisfaction.

THE EMSD STAFF RECOMMENDS THAT COMPANY MANAGEMENT:

Ensure all customer complaints received by Company personnel are documented and maintained for at least two years. Documentation shall include customer name, address, the nature of the complaint, date of occurrence, as well as an explanation of what the Company has done to address the complaint as explained in Commission Rule 4 CSR 240-13.040(5).

Customer Communications and Information

The Company lacks an informational brochure, summarizing the rights and responsibilities of the customer, to provide to customers. The Company is in violation of Commission Rule 4 CSR 240-13.040(3) which states:

A utility shall prepare, in written form, information which in layman's terms summarizes the rights and responsibilities of the utility and its customers in accordance with this chapter. The form shall be submitted to the consumer services department of the Missouri Public Service Commission, and to the Office of the Public Counsel. This written information shall be displayed prominently, and shall be available at all utility office locations open to the general public, and shall be mailed or otherwise delivered to each residential customer of the utility if requested by the customer. The information shall be delivered or mailed to each new customer of the utility upon the commencement of service and shall be available at all times upon request. The written information shall indicate conspicuously that it is being provided in accordance with the rules of the commission, and shall contain information concerning, but not limited to: (A) – (L).

The EMSD staff provided the Company with a sample of this document.

THE EMSD STAFF RECOMMENDS THAT COMPANY MANAGEMENT:

Develop in written form, the information that summarizes the rights and responsibilities of the utility and its customers and make such documentation available to customers. The document should adhere to Commission Rule 4 CSR 240-13.040(3).

Records Storage and Security

The Company cannot ensure that critical paper files are adequately stored. It is a good business practice to have procedures in place to recover data in the event of a disaster such as a fire.

THE EMSD STAFF RECOMMENDS THAT COMPANY MANAGEMENT:

Store all critical paper files in fireproof storage.

Time Reporting

The Company currently does not have a time reporting system in place to track the amount of time its owners spend on activities related solely to Lakeland Heights. Time reporting can have many benefits including determining the number of hours worked, the type of work and compensation that should be incorporated into customer rates, the need for additional personnel as well as compensation paid to outside parties. The Company has indicated its willingness to begin a time reporting process. The time reporting should be utilized for both inside office functions and outside operational activities performed by Company employees as well as any contractors it may employ.

THE EMSD STAFF RECOMMENDS THAT COMPANY MANAGEMENT:

Institute time reporting by specific utility for the Company's owners and any contractors it may employ.

Agreement Attachment F

Summary of Case Events

<u>Lakeland Heights</u>		Summary of Case Events
Date Filed		11/26/2008
Day 150		4/25/2009
Extension?		No
If yes, why?		
Amount Requested		\$10,200
Amount Agreed Upon		\$7,651
Number of Customers		109
Rate of Return		9.50%
Return on Equity		9.50%
Assessments Current		Yes
Annual Reports Filed		Yes
Statement of Revenue Filed		Yes
Other Open Cases before Commission		No
Status with Secretary of State		Good
DNR Violations		No
Significant Service/Quality Issues		No