

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

In the Matter of I.H. Utilities, Inc. Small)
Company Rate Increase.)
Case No. WR-2010-0048

THE OFFICE OF THE PUBLIC COUNSEL’S MOTION TO AMEND TIMELINE

COMES NOW the Office of the Public Counsel (Public Counsel or OPC) and for its Motion to Amend Timeline states as follows:

1. On August 4, 2009, Public Counsel filed its Request for Local Public Hearing in this case.
2. On August 10, 2009, the Staff of the Missouri Public Service Commission (Staff) filed its Timeline and Request for Order Approving Timeline. In its filing, Staff correctly stated that Public Counsel had been contacted regarding the proposed Timeline and that Public Counsel supports the proposed Timeline.
3. On August 14, 2009, the Missouri Public Service Commission (Commission) issued its Order Granting Local Public Hearing, Approving Timeline and Suspending Tariff; and Notice of Contested Case. In its Order, the Commission granted Public Counsel’s request for a local public hearing and stated that the Commission would separately issue notice scheduling the local public hearing. As of the filing of this motion, no notice scheduling the local public hearing has been issued by the Commission.
4. Also in its August 14, 2009 Order, the Commission stated “The Commission will adopt the proposed timeline, with one exception. The proposed timeline calls for an effective date of October 27, 2009, for the tariff. The proposed timeline also calls for the Commission to issue an “Order Approving Tariff Sheet(s)” no later than Thursday, October 22, 2009. But Wednesday,

October 21, 2009, will more likely be the Commission agenda meeting just before the proposed effective date. Also, the Commission may elect to approve the tariff in an order approving the disposition agreement.”

5. The adopted Timeline contains the following Case Activity on the Target Due Date and Calendar Due Date of August 21, 2009: “Second Customer Notice and Notice of Local Public Hearing (if necessary) Mailed to Customers (must be approved by Case Coordinator prior to mailing; includes a 25-day response period; copy sent to Data Center for placement in EFIS tracking file(s); copy also sent to Case Coordinator & OPC).” Since the Commission granted Public Counsel’s request for a local public hearing, I.H. Utilities, Inc. (the Company) is scheduled to mail the Second Customer Notice and Notice of Local Public Hearing by August 21, 2009.

6. However, as no notice scheduling the local public hearing has been issued by the Commission at this time, information such as date, time and location required for preparation of the Company’s Notice of Local Public Hearing is not available. The Company also requires time following the Commission’s notice scheduling the local public hearing to obtain the approval by the Case Coordinator prior to mailing as required by the Timeline. It is Public Counsel’s belief that the Second Customer Notice and the Notice of Local Public Hearing cannot feasibly both be mailed to the customers by August 21, 2009. Therefore, Public Counsel files this motion requesting that the Commission amend the Timeline to allow the Second Customer Notice and Notice of Local Public Hearing to be mailed by the Company no later than August 28, 2009.

7. Public Counsel continues its support for a combined notice which prevents the unnecessary duplicative costs of mailing a customer notice and a separate notice of local public hearing at a later date. Public Counsel believes that no party would be prejudiced by this

amendment and that a twenty-five (25) day response time for the customer comments would still be accommodated within the amended Timeline.

8. Public Counsel has contacted Staff and the Company and neither party opposes Public Counsel's motion.

WHEREFORE, Public Counsel respectfully submits its Motion to Amend Timeline.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By:_____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 19th day of August 2009:

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