

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of I.H. Utilities, Inc., )  
Small Company Rate Increase )

**File No. WR-2010-0048**  
Tracking No. YW-2010-0068

## ORDER EXTENDING TIME FOR FILING

Issue Date: September 21, 2009

Effective Date: September 21, 2009

The Missouri Public Service Commission is granting the motion to extend the time for filing ("the motion") that the Commission's staff ("Staff") filed on September 21, 2009.

The motion seeks an extension of a deadline as set forth in the timeline governing this case.<sup>1</sup> At issue are the following provisions of the timeline:

Target Due Date	Calendar Due Date	Case Activity	Responsible "Party"
09/18/09	09/18/09	Investigation of Service Complaints Received During Second Notice Period Completed and Reports Thereon Provided to Case Coordinator  ".pdf" File Containing Customer Letters and Public Comment Forms Responding to Second Customer Notice, Customer Contact Log and Staff Responses (if any) Submitted to EFIS Case File(s)	Water & Sewer  Case Coordinator & Lead Attorney
09/20/09	09/20/09	"Standard Information Letter" and Related Documents Submitted to EFIS Case File(s)	Case Coordinator & Lead Attorney

The Commission adopted that timeline by order dated August 14, 2009.

The motion is therefore subject to the following regulation:

When an act is required . . . to be done by order . . . of the commission . . . within a specified time, the commission, at its discretion, may—

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<sup>1</sup> 4 CSR 240-3.050(5).

(A) Order the period enlarged before the expiration of the period originally prescribed [<sup>2</sup>]

Also, our regulations ordinarily allow ten days for a response:

Parties shall be allowed not more than ten (10) days from the date of filing in which to respond to any pleading unless otherwise ordered by the commission. [<sup>3</sup>]

Those regulations do not set forth a standard against which to measure the Commission's exercise of discretion.

Nevertheless, Staff supports the motion with good cause. Good cause includes circumstances showing reasonableness and good faith.<sup>4</sup> Staff alleges that a customer comment arrived at its office after business hours on September 17, 2009; that such comment requires thorough investigation; and that such investigation is continuing. Staff suggests that a complete investigation of the comment will result in a better filing in compliance with the case activity described above as "'Standard Information Letter' and Related Documents Submitted to EFIS Case File(s)." Staff has shown good cause for the motion, and for dispensing with the response time, which supports an exercise of our discretion in Staff's favor.

Therefore, the Commission will grant the motion.

#### **THE COMMISSION ORDERS THAT:**

1. The calendar due date for the case activity "'Standard Information Letter' and Related Documents Submitted to EFIS Case File(s)" is extended to September 25, 2009.

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<sup>2</sup> 4 CSR 240-2.050(3).

<sup>3</sup> 4 CSR 240-2.080(15).

<sup>4</sup> ***American Family Ins. Co. v. Hilden***, 936 S.W.2d 207(Mo. App., W.D. 1996).

2. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name of the Secretary.

Steven C. Reed  
Secretary

( S E A L )

Daniel Jordan, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 21<sup>st</sup> day of September 2009.