

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at office in
Jefferson City, Missouri on the 30th
day of March, 2011.

In the Matter of Rex Deffenderfer Enterprises, Inc.)
Request for a Increase in Annual Water System)
Operating Revenues)

File No. WR-2011-0056

**ORDER APPROVING UNANIMOUS DISPOSITION AGREEMENT AND
AUTHORIZING TARIFF FILING**

Issue Date: March 30, 2011

Effective Date: March 30, 2011

On August 26, 2010, Rex Deffenderfer Enterprises, Inc. ("RDE")¹ initiated a small company revenue increase request pursuant to Commission Rule 4 CSR 240-3.050. A local public hearing was held on March 23, 2011, and on March 25, 2011, the Commission's Staff filed a unanimous disposition agreement ("Agreement") executed by Staff, RDE and the Office of the Public Counsel.² The Commission finds the Agreement reasonable and shall approve it.³ The Commission shall authorize RDE to file tariffs in compliance with the Agreement.

¹ RDE serves approximately 1102 customers: 815 residential and 287 commercial.

² RDE originally requested an increase of \$79,821 in its annual water system operating revenues representing an increase of approximately 35.1%. Ultimately, RDE, Staff and Public Counsel agreed that RDE's annualized water system operating revenue should be increased by \$31,081, representing an increase of approximately 12.64.%. Under this increase, an average residential customer would experience an increase in their water bill of \$1.98 per month (\$15.68 currently to \$17.66 following the increase).

³ The Commission has the legal authority to accept stipulations and agreements as offered by the parties pursuant to Section 536.060, RSMo 2000. The requirement for a hearing is met when the opportunity for hearing has been provided and no proper party has requested the opportunity to present evidence. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989). Since no one has requested an evidentiary hearing in this case, the Commission may grant the relief requested based on the Agreement.

THE COMMISSION ORDERS THAT:

1. The "Unanimous Agreement Regarding Disposition of Small Water Company Revenue Increase Request" ("Agreement"), entered into by Rex Deffenderfer Enterprises, Inc., the Staff of the Missouri Public Service Commission and the Office of the Public Counsel, filed on March 25, 2011, is approved.
2. The signatories shall comply with the terms of the Agreement. A copy of the Agreement is attached to this order as Appendix A, and is incorporated by reference as if fully set forth.
3. Rex Deffenderfer Enterprises, Inc. is authorized to file tariffs in compliance with the Agreement.
4. This order shall become effective immediately upon issue.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

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

Stearley, Senior Regulatory Law Judge