

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Rex Deffenderfer Enterprises, Inc. )  
Request for a Increase in Annual Water System ) **File No. WR-2011-0056**  
Operating Revenues )

## ORDER ESTABLISHING TIME FOR RESPONSE

Issue Date: February 4, 2011

Effective Date: February 4, 2011

On January 28, 2011, Staff filed its *Notice of Amended Company/Staff Partial Agreement Regarding Disposition of Small Water Company Revenue Increase Request*. ("Agreement"). In that Agreement, Rex Deffenderfer Enterprises, Inc. and Staff listed several issues that they could not resolve and requested that the Commission resolve the disputed issues in arbitration. Staff now seeks a waiver of Commission Rule 4 CSR 240-3.050(16) because the unresolved issues listed in the Agreement directly affect the calculation of the utility's revenue requirement and it is not possible for the utility to file new or revised tariff sheets and the notice as required by the rule. Additionally, Staff requests that the Commission order the Office of the Public Counsel to respond to the Agreement and the request for arbitration.

### THE COMMISSION ORDERS THAT:

1. No later than February 11, 2011 the Office of the Public Counsel shall file a response to the Agreement described in the body of this order.
2. No later than February 11, 2011 the Office of the Public Counsel shall file a response to Staff's request for a waiver of Commission Rule 4 CSR 240-3.050(16).

3. If all parties agree to arbitration, then no later than February 14, 2011, the parties shall jointly file a procedural schedule for arbitration, including a deadline to submit position statements to the arbitrator prior to the date suggested for the arbitration.

4. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**

( S E A L )



Steven C. Reed  
Secretary

Harold Stearley, Senior Regulatory Law Judge  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 4th day of February, 2011.