

claims that the Agreement overstated Lakeland Heights' revenue requirement and recommends an unreasonable return on equity. Public Counsel further requested that the Commission suspend the tariff to allow for time to receive further customer comment. This is sufficient for the grant of a public hearing.

The time-line filed by Staff, taken from the timeframes listed in Commission Rule 4 CSR 240-3.050(5), contemplates holding a local public hearing on, or around, November 1. Additionally, Commission Rule 4 CSR 240-2.110(1) requires the Commission to set the time and place for hearings and serve notice as required by law. Section 536.067(4), RSMo 2000, and Section 386.390.5, RSMo 2000, require at least ten days notice be given prior to a hearing. In complying with its statutory mandate, and taking into consideration the expedited nature of the small water company rate increase procedure, the Commission shall set the date for the local public hearing, by separate order, that is as reasonably close to November 1 as is practical.

Tariff Suspension

Because the date for the local public hearing likely will be beyond the effective date for the tariffs, the Commission shall suspend the tariffs.

THE COMMISSION ORDERS THAT:

1. The following revised tariff sheets filed by Lakeland Heights Hills Water Company, Inc. on September 4, 2012, and assigned Tariff File No. YW-2013-0113, are suspended until December 31, 2012, or until otherwise ordered by the Commission:

P.S.C. MO No. 3

Canceling P.S.C. MO No. 2

2. The motion to suspend the tariff filed by the Office of the Public Counsel is granted.

3. The Commission shall set a local public hearing by separate order.
4. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Gunn, Chm., Jarrett, Kenney,
and Stoll, CC., concur.

Pridgin, Senior Regulatory Law Judge