

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

In the Matter of Lakeland Heights Water)
Company, Inc. Small Company Rate Increase.) **Case No. WR-2009-0227**

RESPONSE TO ORDER DIRECTING FILING REGARDING CUSTOMER NOTICE

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its *Response to Order Directing Filing Regarding Customer Notice* (Notice) states the following to the Missouri Public Service Commission (Commission):

1. On November 26, 2008, the Commission received a Rate Increase Request Letter from Lakeland Heights Water Company, Inc. (Lakeland or Company).

2. Pursuant to Rule 4 CSR 240-3.050(5), Staff filed its “timeline under which the case will proceed...” on December 2, 2008. Staff’s timeline abides by the deadlines found within Commission Rule 3.050 in its entirety, and sets out specific dates for completion while taking into consideration weekends and holidays. For example, this timeline states that:

- by Day 150 (Saturday, April 25, 2009 with actual filing date for Monday, April 27, 2009) the executed disposition agreement is filed by Staff;
- by Day 155 (April 30, 2009) tariff revisions are filed by the Company;
- by Day 160 (May 5, 2009) the Company mails the second customer notice;
- by Day 170 (May 15, 2009) Staff files a copy of the second customer notice.

Setting out specific deadlines for completion allows all parties to know when certain actions will be completed. This is especially important for certain provisions without deadlines, like 3.050(14) which states, “[w]hen the utility mails the notice to its customers, it shall also send a copy to the staff and the staff shall file a copy in the case file.” This provision does not state when Staff must file a copy of the notice, therefore the timeline makes it explicit.

3. The timeline allows a maximum of ten (10) days for Staff to file a copy of the second customer notice in case a company sends Staff the copy by regular mail, which may take up to a week to reach Staff's offices, and therefore Staff has at least two (2) days to get it filed in the case.

4. In this case, on April 27, 2009, Staff filed its Notice of Company/Staff Agreement Regarding Disposition of Small Water Company Revenue Increase Request, pursuant to 3.050(11) and the timeline, and triggering 3.050(14).

5. On April 30, 2009, the revised tariffs were filed by the Company in this case, in accordance with 3.050(14) and the timeline.

6. On May 14, 2009, a copy of the second customer notice was filed in this case, in accordance with 3.050(14) and the timeline.

7. Staff's filing of the second customer notice in this case was a day prior to the date set out in the timeline of May 15, 2009.

8. Staff has filed a copy of the second customer notice in this case and is in compliance with Commission Rule 4 CSR 240-3.050(14).

WHEREFORE, the Staff respectfully submits this *Response to Order Directing Filing Regarding Customer Notice* for the Commission's information in this case.

Respectfully submitted,

/s/ **Shelley Syler Brueggemann**

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 14th day of May 2009.

/s/ Shelley Syler Brueggemann