

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

In the Matter of the Tariff Filing of)	
Algonquin Water Resources of)	
Missouri, LLC, to Implement a General)	<u>Case No. WR-2006-0425</u>
Rate Increase for Water and Sewer)	
Customers in its Missouri Service)	
Areas.)	

**OFFICE OF THE PUBLIC COUNSEL’S OBJECTION TO ALGONQUIN’S MOTION
FOR EXPEDITED TREATMENT AND MOTION TO REJECT TARIFF SHEETS OR,
IN THE ALTERNATIVE, TO SUSPEND TARIFF SHEETS**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Objection to Algonquin Water Resources of Missouri, LLC’s (Algonquin’s) Motion for Expedited Treatment and its Motion to Reject Tariff Sheets or in the Alternative to Suspend Tariff Sheets states as follows:

1. Algonquin filed its Motion for Expedited Treatment and for Approval of Tariff Sheets on less than Thirty Days’ Notice on March 20, 2007.
2. Concurrently with the filing of this Motion, Algonquin filed tariff sheets carrying an issue date of March 20, 2007, and a proposed effective date of April 19, 2007 and were assigned tracking numbers YW-2007-0650 and YS-2007-0651. Algonquin’s filing also indicated that it would seek to have the tariff sheets made effective as of April 2, 2007.
3. In its motion, Algonquin purports to show good cause for waiver of the thirty day period pursuant to Section 393.140(11), RSMo. and approval of the revised tariff sheets to be effective for water and sewer service rendered on and after April 2, 2007, by stating that the tariff sheets have been filed in compliance with the Commission’s Report and Order herein.

Algonquin also states it has been working with the Commission Staff in developing the revised tariff sheets, and, on information and belief, states that the Staff should be able to file its recommendation in fairly short order.

4. Algonquin's only offer of "good cause" for its waiver and an effective date of April 2, 2007 was that the tariff sheets comply with the Report and Order and Staff may soon be able to file a recommendation. This does not rise to the level of "good cause" to advance the effective date, especially when there is a question of whether the tariffs in fact comply with the Report and Order and given that there remains unresolved issues regarding the proper amount of the rate case expense and its allocation to the classes of ratepayers, all as set out in Public Counsel's Application for Rehearing.

5. Public Counsel filed an Application for Rehearing in this case on March 21, 2007. Therefore, Algonquin's statement that "there are no further procedures to be completed in this case" is in error.

6. Section 393.150.1, RSMo authorizes the Commission to suspend the effectiveness of rate schedules for a period of one hundred and twenty days beyond the proposed effective date. In addition, the Commission "... may, in its discretion, extend the time of suspension for a further period not exceeding six months." Section 393.150.2, RSMo.

7. Since Algonquin has not shown good cause for its Motion for Expedited Treatment and for Approval of Tariff Sheets on less than Thirty Days' Notice on March 20, 2007 and since Public Counsel has filed an Application for Rehearing in this case demonstrating that there are material unresolved issues in the Report and Order and the decision is not final, Public Counsel objects to Algonquin's Motion for Expedited Treatment and respectfully requests that

the Commission grant Public Counsel's Motion to Reject Tariff Sheets, or in the alternative, Suspend Tariff Sheets.

WHEREFORE, Public Counsel respectfully objects to Algonquin's Motion for Expedited Treatment and respectfully requests that the Commission grant its Motion to Reject Tariff Sheets, or in the alternative, Suspend Tariff Sheets.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By:_____

Christina L. Baker (#58303)

Assistant Public Counsel

P O Box 2230

Jefferson City, MO 65102

(573) 751-5565

(573) 751-5562 FAX

christina.baker@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 22nd day of March 2007:

Office General Counsel
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Keith Krueger
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Keith.Krueger@psc.mo.gov

Dean L Cooper
Algonquin Water Resources of Missouri, LLC
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102
dcooper@brydonlaw.com

Paul A Boudreau
Algonquin Water Resources of Missouri, LLC
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102

/s/ Christina L. Baker
