

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

In the Matter of the Rate Increase Request) Case No. WR-2011-0024
for Whiteside Hidden Acres, LLC.)

**THE OFFICE OF THE PUBLIC COUNSEL’S REQUEST
FOR LOCAL PUBLIC HEARING**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Request for Local Public Hearing states as follows:

1. On July 28, 2010, Whiteside Hidden Acres, LLC (Whiteside) initiated a small company rate increase proceedings with the Missouri Public Service Commission (Commission) requesting an increase in its water rates of \$8,505.76 (125%) per year.
2. On December 27, 2010, the Staff of the Missouri Public Service Commission (Staff) filed a Notice of Agreement Regarding Disposition of Small Company Rate Increase Request (Company/Staff Agreement) indicating agreement between Staff and Whiteside for a water rate increase of \$7,464 annually (approximately 104%). Public Counsel did not join in the agreement.
3. Revised tariff sheets reflecting the proposed rates agreed to in the Company/Staff Agreement were filed by Whiteside on December 30, 2010. These proposed tariff sheets contain an effective date of February 15, 2011.
4. As the Company/Staff Agreement was executed by only Whiteside and Staff, 4 CSR 240.3-050(15) requires Public Counsel to file a pleading stating its position regarding the Company/Staff Agreement and the related proposed tariff revisions, or requesting a local public

hearing or an evidentiary hearing, no later than five (5) working days after the end of the comment period for the written customer notice contemplated in 4 CSR 240-3.050(14).

5. Affording customers the opportunity to speak Commission at a hearing is a critical part of the ratemaking process. This is the first rate case for the customers of Whiteside since the utility was certificated and the amount of the increase proposed in the Company/Staff Agreement is extremely large. Additionally, there are a total of twenty-two (22) customer comments posted in the Commission's Electronic Filing System (EFIS). Given that there are only thirty-six (36) customers for this utility, this indicates that a significant portion of the customer base wish to be heard by the Commission. These customers should have the opportunity to voice their concerns regarding the proposed increase to the Commission at a local public hearing. Therefore, pursuant to 4 CSR 240-3.050(15), Public Counsel requests a local public hearing.

6. Public Counsel does not object to the Commission scheduling the hearing promptly, as long as customers are given at least 7 days notice.

7. Section 393.150 RSMo provides that the Commission may suspend tariff sheets for a maximum period of 120 days plus six months. Scheduling and providing notice of a local public hearing in this case would require additional time beyond the February 15th effective date of the proposed tariff revisions. Therefore, Public Counsel requests that the Commission suspend the proposed revised tariff sheets for a sufficient period to allow adequate time for a local public hearing and subsequent case disposition as appropriate.

WHEREFORE, Public Counsel respectfully requests that the Commission schedule a local public hearing.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 27th day of January 2011:

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