

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 DEADLINE FOR RESPONSE

Issue Date: February 9, 2011

Effective Date: February 9, 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 also 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.

On February 8, 2011, the Office of the Public Counsel filed responses. Public Counsel does not object to Staff's waiver request if this matter proceeds to arbitration. Additionally, Public Counsel states it will agree to arbitration if two additional issues are included, otherwise it requests an evidentiary hearing.

THE COMMISSION ORDERS THAT:

1. No later than February 15, 2011 the Staff of the Missouri Public Service Commission and Rex Deffenderfer Enterprises, Inc. shall file a reply to the Office of the Public Counsel's February 8, 2011 pleadings.

2. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 9th day of February, 2011.