

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

In the Matter of the Application of Dale Whiteside)	
and Whiteside Hidden Acres, L.L.C. for a)	
Certificate of Convenience and Necessity)	
Authorizing it to Own, Control, Manage, Improve)	Case No. WA-2009-0261
and Maintain a Water System for the Public,)	
Located in an Incorporated Area of Hickory)	
County Missouri.)	

STAFF RECOMMENDATION ON TARIFF COMPLIANCE

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), through the undersigned counsel, and for its *Recommendation* respectfully states to the Missouri Public Service Commission (“Commission”) the following:

1. On August 10, 2009 Whiteside Hidden Acres, L.L.C. (“WHA”) filed revised tariff sheets pursuant to the Commission’s July 1, 2009 *Order Approving Unanimous Stipulation And Agreement And Granting Certificate Of Convenience And Necessity*.
2. On August 11, 2009 the Commission issued an *Order Directing Filing*, allowing until August 28, 2009, for Staff to file a recommendation as to whether the tariff sheets are in compliance with the Commission’s July 1st *Order*.
3. Martin Hummel, Staff Utility Engineering Specialist has reviewed the tariff sheets filed in YW-2010-0079, and states that to the best of his knowledge, information, and belief, the revised sheets comply with the Commission’s *Order Approving Unanimous Stipulation And Agreement And Granting Certificate Of Convenience And Necessity*. See the Staff *Memorandum and Affidavit Of Martin Hummel* attached hereto.
4. The Commission has the authority pursuant to Sections 393.140 (11) and 393.150 RSMo (2000) to approve the proposed tariff sheets.

WHEREFORE, the Staff recommends that the Missouri Public Service Commission issue an order approving the tariff sheets currently pending in Tariff File No. YW-2010-0079 with an effective date of September 9, 2009.

Respectfully Submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez
Staff Legal Counsel
Missouri Bar No. 59814

Attorney for the Staff of the
Missouri Public Service Commission
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by First Class United States Mail, postage prepaid on Lisa C. Henderson, Attorney for the Respondents, P.O. Box 1141, 303 South Maple, Buffalo, MO 65622; and by electronic mail on the Office of Public Counsel, opcservice@ded.mo.gov this 27th day of August, 2009.

/s/ Jennifer Hernandez

MEMORANDUM

TO: Missouri Public Service Commission Official Case File
Case No. WA-2009-0261
File Nos. YW-2010-0079 (water)
Whiteside Hidden Acres, L.L.C.

FROM: Martin Hummel – Water & Sewer Department

<u>/s/ Martin Hummel</u>	<u>8/ 27/ 09</u>
Project Coordinator	Date

<u>/s/ Jennifer Hernandez</u>	<u>8/ 27/ 09</u>
General Counsel's Office	Date

SUBJECT: Staff's Recommendation for Approval of Tariff Sheets

DATE: August 27, 2009

On July 1, 2009, the Missouri Public Service Commission ("Commission") issued an *Order Approving Unanimous Stipulation And Agreement And Granting Certificate Of Convenience And Necessity* granting Whiteside Hidden Acres, L.L.C. ("WHA" or "Company") a Certificate of Convenience and Necessity ("Certificate") to provide water service to an area in Hickory County near Lake Pomme de Terre. On August 10, 2009, WHA submitted tariff sheets as authorized by the July 1st *Order*, which contained an index, a map and a written service area description. The tariff sheets bear an effective date of September 9, 2009. On August 11, 2009, the Commission issued an *Order Directing Filing*, directing Staff to file a recommendation no later than August 28, 2009, as to whether the tariff sheets comply with the Commission's July 1st *Order*.

The Staff has reviewed the tariff sheets submitted by WHA in File No. YW-2010-0079. The Staff finds them to be correct, accurate, and in compliance with the July 1st *Order*. Therefore, the Staff recommends approval of the tariff sheets, to become effective on September 9, 2009.

The *Complaint* filed in WC-2008-0405 is still pending before the Commission. The Commission's approval of the tariff sheets will moot the issues contained within Staff's *Complaint*. Once the tariff sheets become effective, the Staff will file a voluntary dismissal in that matter.

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OF THE STATE OF MISSOURI**

AFFIDAVIT OF MARTIN HUMMEL

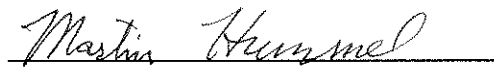
STATE OF MISSOURI)

) ss

Case No. WA-2009-0261

COUNTY OF COLE)

MARTIN HUMMEL—Staff Utility Engineering Specialist, being of lawful age, on oath states: (1) that he has reviewed and examined the tariff sheets filed by Whiteside Hidden Acres, L.L.C. on August 10, 2009; (2) that he has knowledge of the matters set forth in the above-stated cause and in the foregoing tariff sheets; (3) that the matters set forth in the foregoing tariff sheets are true and correct to the best of his knowledge, information, and belief; and (4) that to the best of his knowledge, information, and belief, the tariff sheets comply with the Missouri Public Service Commission's July 1, 2009 *Order Approving Unanimous Stipulation And Agreement And Granting Certificate Of Convenience And Necessity*.


Martin Hummel

Subscribed and sworn to before me this 25 day of August 2009.


Notary Public

My commission expires 9-21-10



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086