

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

In the Matter of the Application of Oakbrier     )  
Water Company, Inc., for Certificate of         )  
Convenience and Necessity authorizing it to  
enlarge and extend its service area and to  
construct, install, own, operate, control,  
manage, and maintain a Water System for  
the public located in the unincorporated area  
of Butler County, Missouri.

**Case No. WA-2009-0406**  
File No. JW-2009-0863

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and respectfully submits its *Staff Recommendation* to the Missouri Public Service Commission ("Commission") stating the following:

1. On May 12, 2009, Oakbrier Water Company, Inc. ("Company") filed an *Application and Motion to Expedite Application* to expand its current service territory in and around a subdivision known as Oakbrier Estates, in Butler County, Missouri.

2. On May 12, 2009, the Commission approved its *Order Granting Certificate of Convenience and Necessity* ("Order") granting the Company a certificate of convenience and necessity to provide water service to an expanded area in and around the subdivision known as Oakbrier Estates, in Butler County, Missouri. The *Order* was issued on June 3, 2009 and became effective on June 13, 2009.

3. On June 18, 2009, the Company submitted revised tariff sheets expanding the service territory as authorized by the Commission in this matter. The tariff sheets bare an effective date of July 18, 2009.

4. In the *Staff Recommendation*, attached hereto, as Exhibit A, Staff recommends that the Commission approve the tariff sheets to become effective on July 18, 2009.

5. The Company has a current rate case before the Commission, Case No. WR-2009-0229. Approval of these tariff sheets will not affect the pending rate case, or any other matter before the Commission.

**WHEREFORE**, Staff respectfully requests the Commission to issue an Order approving Oakbrier Water Company, Inc. tariff sheets to become effective on July 18, 2009.

Respectfully Submitted,

/s/ Jaime N. Ott

Jaime N. Ott

Missouri Bar No. 60949

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 this Recommendation has been provided, either by first-class mail, by electronic mail, by facsimile transmission or by hand-delivery, to each attorney and/or party of record for this case on this 30<sup>th</sup> day of June 2009.

/s/ Jaime N. Ott

## MEMORANDUM

TO: Missouri Public Service Commission Official Case File  
Case No. WA-2009-0406 – Tariff File No. JW-2009-0863  
Oakbrier Water Co., Inc.

FROM: Jim Merciel – Water & Sewer Department

<u>/s/ Jim Merciel</u>	<u>6/30/09</u>
Project Coordinator	Date

<u>/s/ Jaime Ott</u>	<u>6/30/09</u>
General Counsel's Office	Date

SUBJECT: Staff's Recommendation for Approval of Tariff Sheets

DATE: June 30, 2009

On May 12, 2009, the Commission issued its Order Granting Certificate of Convenience and Necessity (Order) granting Oakbrier Water Co, Inc. (Oakbrier) a certificate of convenience and necessity (Certificate) to provide water service to an expanded area in and around a subdivision known as Oakbrier Estates, in Butler County, northeast of Poplar Bluff. The Order was issued on June 3, 2009 and became effective on June 13, 2009.

On June 18, 2009, Oakbrier submitted revised tariff sheets containing a map and written description, depicting its expanded service as authorized in this case. The tariff sheets bear an effective date of July 18, 2009.

As was noted in its *Staff Recommendation* filed in this case on May 27, 2009, the Staff reviewed Oakbrier's history regarding the submittal of its Commission annual reports and the payment of its Commission assessments, and found no deficiencies in this regard.

Oakbrier has a rate case pending before the Commission, but no other pending matters. Approval of these tariff sheets will not affect the rate case, or any other matter before the Commission.

The Staff has reviewed the tariff sheets submitted by Oakbrier in File No. JW-2009-0863, and finds them to be correct and accurate. The Staff, therefore, recommends approval of these tariff sheets to become effective on July 18, 2009.

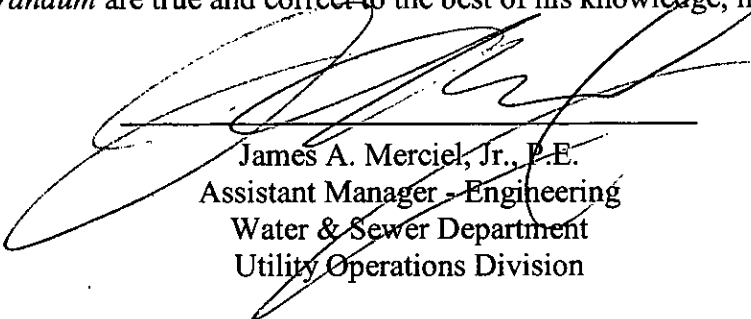
BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

AFFIDAVIT OF JAMES A. MERCIEL, JR.

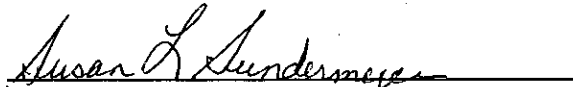
STATE OF MISSOURI     )  
                                      ) ss  
COUNTY OF COLE     )

Case No. WA-2009-0406

James A. Merciel, Jr., of lawful age, on his oath states: (1) that he is the Assistant Manager – Engineering in the Water and Sewer Department of the Missouri Public Service Commission; (2) that he participated in the preparation of the foregoing *Memorandum*; (3) that he has knowledge of the matters set forth in the foregoing *Memorandum*; and (4) that the matters set forth in the foregoing *Memorandum* are true and correct to the best of his knowledge, information and belief.

  
James A. Merciel, Jr., P.E.  
Assistant Manager - Engineering  
Water & Sewer Department  
Utility Operations Division

Subscribed and sworn to before me this 30<sup>th</sup> day of June 2009.

  
Notary Public



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