

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

In the Matter of Terre Du Lac Utilities)
Corporation Water System Small)
Company Rate Increase.)

Case No. WR-2009-0218

STAFF'S VERIFIED STATEMENT OF COMPANY RATE REQUEST WITHDRAWAL

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its *Verified Statement of Company Withdrawal*, states the following to the Missouri Public Service Commission (the Commission):

1. On November 17, 2008, Terre Du Lac Utilities Corporation Water System (Terre Du Lac) sent to the Commission a Rate Increase Request Letter, initiating the Small Utility Rate Case Procedure. *See* 4 CSR 240-3.050.
2. On May 18, 2009, Staff received notification that Terre Du Lac no longer wishes to pursue a revenue increase in this matter. *See* Exhibit 1.
3. Commission Rule 4 CSR 240-3.050(23) states that “[i]f at any time after a case is opened . . . the utility advises the staff that it no longer wishes to pursue an increase, the staff shall file a verified statement to that effect in the case file, whereupon the regulatory law judge shall issue a notice closing the case.”
4. Attached hereto is a verified statement in the form of a Staff Affidavit, affirming that Staff has been advised that the Company no longer wishes to pursue an increase in the matter. *See* Exhibit 1.

WHEREFORE, Staff respectfully requests that, pursuant to 4 CSR 240-3.050(23), the regulatory law judge issue a notice closing this case.

Respectfully submitted,

/s/ Jaime N. Ott

Jaime N. Ott
Assistant General Counsel
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 copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 19th day of May, 2009.

/s/ Jaime N. Ott

Russo, Jim

From: tdlu@charter.net
Sent: Monday, May 18, 2009 8:55 AM
To: Russo, Jim
Subject: Rate Case

Jim, I wish to withdraw case SR-2009-0219 and WR-2009-0218. My reasons are many, some of which include irreconcilable differences with PSC staff. We will file again at a later date.

Thank you,
Michael F. Tilley
President
Terre Du Lac Utilities Co.

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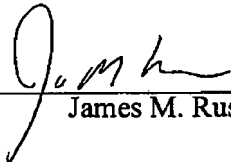
In the Matter of Terre Du Lac Utilities)
Corporation Small Company Rate)
Increase)

Case No. WR-2009-0218

AFFIDAVIT OF JAMES M. RUSSO

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

James M. Russo, Rate and Tariff Examination Supervisor, Water and Sewer Department, being of lawful age, on oath states: pursuant to 4 CSR 240-3.050(23) Small Rate Case Procedure, if at any time after a case is opened the utility and the staff agree that an increase in the utility's annual operating revenues is not necessary, or if the utility advises the staff that it no longer wishes to pursue an increase, the staff shall file a verified statement to that effect in the case file, whereupon the regulatory law judge shall issue a notice closing the case; that on May 18, 2009, Terre Du Lac Utilities Corporation thru an email advised Staff that it no longer wishes to pursue its Water Utility Small Company Rate Increase Request; that this affidavit serves as a verified statement made by Staff in WR-2009-0218, that Terre Du Lac Utilities Corporation no longer wishes to pursue an increase; and that such matters are true and correct to the best of my knowledge and belief.



James M. Russo

Subscribed and sworn to before me this 19th day of May, 2009.



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



Notary Public