

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

In the Matter of Elm Hills Utility Operating Company, Inc.'s Request for a Water Rate Increase)	<u>File No. WR-2020-0275</u>
)	
)	

**STIPULATION OF FACTS, LIST OF ISSUES AND ORDER OF WITNESSES,
CROSS-EXAMINATION, AND OPENINGS**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and on behalf of Elm Hills Utility Operating Company, Inc. (“Elm Hills”) and the Office of Public Counsel (“OPC”) (collectively, “the Parties”), respectfully proposes the following *Stipulation of Facts, List of Issues and Order of Witnesses, Cross-Examination, and Openings* for the Commission’s consideration:

I. STIPULATION OF FACTS

1. Elm Hills is a Missouri corporation in good standing. Elm Hills principal office is located at 1650 Des Peres Road, Suite 303, St. Louis, MO 63131.
2. As is relevant to this case, Elm Hills provides water service to approximately 127 customers in four certificated service areas of Pettis County, Missouri.
3. As is relevant to this case, Elm Hills provides sewer service to 378 sewer customers in the service areas of Pettis and Johnson Counties, Missouri.
4. On March 6, 2020, Elm Hills filed notice that it intended to increase rates for its water and sewer services provided to customers in its Missouri service area through the Staff-assisted rate case procedure, as outlined under Commission Rule 20 CSR 4240-10.075.
5. Elms Hills and Staff filed a Non-Unanimous Disposition Agreement in this matter on September 9, 2020.

6. The OPC filed its objection to the Non-Unanimous Disposition Agreement on September 14, 2020 and requested an evidentiary hearing in this matter.

II. LIST OF ISSUES

7. What is a fair and reasonable rate of return to allow Elm Hills? To reach a conclusion as to a fair and reasonable rate of return, the following questions must be answered:

- a. What is the appropriate capital structure to determine Elm Hills' allowed rate of return?
- b. What is the appropriate cost of debt to determine Elm Hills' allowed rate of return?
- c. What is the appropriate return on equity to determine Elm Hills' allowed rate of return?

III. ORDER OF WITNESSES, CROSS-EXAMINATION, AND OPENINGS

8. The witnesses, and the order in which they are to testify, are as follows:
 - a. Elm Hills' Witnesses and order of cross-examination:
 - **Josiah Cox**, President, Elm Hills (Cross: Staff, OPC).
 - **Martin W. Moore**, Chief Financial Officer and Treasurer, Elm Hills (Cross: Staff, OPC).
 - b. Staff's Witnesses and order of cross-examination:
 - **James A Busch**, Regulatory Compliance Manager, Water and Sewer Department, Industry Analysis (Cross: Elm Hills, OPC).

- **Peter Chari**, Senior Utility Regulatory Auditor, Financial Analysis (Cross: Elm Hills, OPC).

c. OPC's Witnesses and order of cross-examination:

- **David Murray**, Utility Regulatory Manager (Cross: Staff, Elm Hills).

9. The order of openings will be as follows: Elm Hills, Staff, OPC.

WHEREFORE, Staff prays, on behalf of itself, Elm Hills, and OPC, that the Commission accept the Parties' *Stipulation of Facts, List of Issues and Order of Witnesses, Cross-Examination, and Openings*, and grant any such other and further relief as is just under the circumstances.

Respectfully Submitted,

/s/ Travis J. Pringle

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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 parties and/or their counsel of record this 9th day of December, 2020.

/s/ Travis J. Pringle