

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

In the Matter of the Small Company Rate	)	
Increase Request of Hickory Hills Water &	)	<u>Case No. WR-2006-0250</u>
Sewer Company, Inc.	)	

In the Matter of Hickory Hills	)	
Water & Sewer Co.'s Request for	)	<u>Case No. SR-2006-0249</u>
a Small Company Rate Increase.	)	

**PUBLIC COUNSEL'S MOTION TO CONSOLIDATE, REQUEST FOR HEARING  
AND MOTION TO SUSPEND TARIFF**

COMES NOW the Office of the Public Counsel and for its Request for Hearing and Motion to Suspend Tariff states as follows:

1. On December 12, 2005, Hickory Hills Water &Sewer Company, Inc. filed tariffs to implement rate increases for water and sewer service. The Commission assigned Case No. SR-2006-0249 to the sewer rate increase, and WR-2006-0250 to the water rate increase. These cases involve related issues of law and fact, and it will be more efficient to litigate them together. Public Counsel requests that they be consolidated pursuant to 4 CSR 240-2.110(3).

2. The rate increases were agreed to by Hickory Hills and the Staff of the Commission, and those agreements are reflected in Disposition Agreements filed by Staff on December 15, 2005 in both the water and sewer cases. Public Counsel did not join in those agreements. The agreements provide for a sewer rate increase of \$2,500 per year, and a water rate increase of \$2,000 per year.

3. Pursuant to 4 CSR 240-3.330 and 4 CSR 240-3.635, Public Counsel requested local public hearings in the sewer and water cases. The Commission granted these requests and a local public hearing was held on January 19, 2006, in California, Missouri addressing both the water and sewer increases. As a result of the testimony adduced at that hearing, Public Counsel

does not believe that the Commission should approve the rate increase requests agreed to by the Staff and Hickory Hills. Pursuant to 4 CSR 240-3.330(1)(E) and 4 CSR 240-3.635(1)(E), Public Counsel states that it disagrees with the proposed increases reflected on the tariff sheets filed in these cases. The Commission should schedule an evidentiary hearing to allow Hickory Hills, and the Commission Staff if it so desires, to present evidence in support of the proposed increases.

4. Because the tariff effective date is February 1, 2006, the Commission should suspend the pending tariffs. Section 393.150 RSMo 2000 provides that the Commission may suspend tariff sheets for a maximum period of 120 days plus six months. In order to allow for adequate time for the Commission to determine whether the proposed rate increase is just and reasonable, the Commission should suspend them for the maximum period.

WHEREFORE, Public Counsel respectfully requests that the Commission issue an order: consolidating Case Nos. SR-2006-0249 and WR-2006-0250; scheduling an evidentiary hearing; and suspending the pending tariff sheets for the maximum period allowed by law.

Respectfully submitted,

OFFICE OF THE Public Counsel

**/s/ Lewis R. Mills, Jr.**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 25th day of January 2006:

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**/s/ Lewis R. Mills, Jr.**

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