

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held by telephone
and internet audio conference
on the 17th day of June, 2020.

**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) **File No. WR-2020-0275**
Increase)

**ORDER SETTING VIRTUAL HEARING AND ESTABLISHING
PROCEDURE FOR COLLECTING PUBLIC COMMENT**

Issue Date: June 17, 2020

Effective Date: June 17, 2020

On March 6, 2020, Elm Hills Utility Operating Company, Inc. (Elm Hills) filed a notice requesting an increase in its annual overall operating revenues in two staff assisted rate cases.¹ Commission Rule 20 CSR 4240-10.075(6) requires a local public hearing. Because of the limitations imposed on public gatherings in response to COVID-19, Staff filed a joint proposal, on behalf of Elm Hills and the Office of the Public Counsel (Public Counsel), proposing the Commission conduct a virtual public hearing and collect written comments to be compiled and submitted to the case record. On May 28, 2020, the Commission proposed procedural guidelines for a virtual meeting format and directed the parties to provide a joint proposed schedule to receive public comment in this case.

On June 8, 2020, Staff filed a joint proposal on behalf of the parties. On June 10, 2020, Elm Hills filed a response expressing concern about the logistics of the

¹ File No. SR-2020-0274 has been consolidated into this file.

mailing of handouts. Two of the concerns were previously addressed in the Commission's *Order Scheduling Delivery of Statements*. The single page handout may be double-sided, and was ordered delivered to Elm Hills no later than the close of business, Tuesday, June 16, 2020.

The third request raised by Elm Hills, making the customer receipt of the hand-out information opt-in, is addressed here. Public Counsel disagreed with the request and noted the novelty of a virtual local public hearing, and the related increased focus on clear and customer-centric communications.² The Commission agrees with Public Counsel, and will deny Elm Hills request to make the customer reception of the hand-out information opt-in.

Based on the parties' proposal, and Elm Hills' concerns, the Commission will establish a date and procedure for the virtual public hearing and written notice to customers as provided by Commission Rule 20 CSR 4240-10.075(7).

The Commission's order clarifies how participants by telephone will be registered for the hearing and how they will receive dial-in information. In addition, because the virtual public hearing will not include a question-and-answer session, the parties will be required to prepare case statements to be distributed to Elm Hill's customers with notice of the hearing. These case statements of no more than one-page each, will serve to meet the requirements of paragraph 2(g) of the joint proposal and the concerns of Elm Hills. Finally, the Commission will establish a deadline for the compilation of written comment to be added to the case record, consistent with 20 CSR 4240-10.075(7)(A)(3).

² Staff did not file a response.

THE COMMISSION ORDERS THAT:

1. A public hearing is scheduled to begin at **6 p.m.** on **July 14, 2020**, via the internet-based video and teleconferencing service, WebEx.
2. To facilitate an orderly presentation that can be preserved for the record, those who wish to provide comments on the record to the Commission during the hearing shall register before the hearing.
3. Staff shall accept registrations until 5 p.m. July 7, 2020, and shall submit a complete list of registrants to the regulatory law judge no later than 10 a.m. July 10, 2020. The registrant list shall indicate each registrant's first and last name and whether each registrant will connect to the hearing via internet or by phone.
4. Counsel for the parties and those who are registered to connect via internet will receive an email invitation with access information by no later than 5 p.m. July 10, 2020.
5. Those who register to participate by phone will receive dial-in information when registration is confirmed. The regulatory law judge will provide dial-in information to the parties by email on the date this order is issued. The party responsible for registering participants shall provide the dial-in information to individual registrants who request phone access to the hearing.
6. A live audio web stream at the Commission's website, www.psc.mo.gov, will provide audio of the hearing for those who are not registered to participate.
7. Any person who requires an accommodation to participate in the hearing should contact, before the hearing, the Public Service Commission's hotline at 1-800-392-4211 (voice) or Relay Missouri at 711.

8. The Commission's Public Policy and Outreach Department shall provide a copy of this order to news media serving Elm Hills' service area and to members of the General Assembly representing residents of Elm Hills' service area.

9. In addition to the virtual public hearing, the parties shall collect and compile written comment to be included in the case record. To be included in the case record, written comment shall be received by no later than July 22, 2020, as provided by 20 CSR 4240-10.075(7)(A)(3). No later than August 2, 2020, Staff shall file a status report indicating when compiled written comment will be added to the case record.

10. In lieu of a live question-and-answer session at an in-person public hearing, the parties shall answer questions from customers and the public as provided in the parties' joint proposal for public comment. The formal question-and-answer period shall end five days after the hearing, on July 20, 2020.³ All inquiries received by July 20, 2020, shall receive an appropriate response. Answers to inquiries after July 20, 2020, may be handled informally according to the parties' usual practices.

11. Elm Hills, the Commission's Staff, and Public Counsel have each prepared and delivered a one-page statement outlining their assessment of the case (both sides of the page may be used). The party statements shall be included with notice to customers, as described below.

12. No later than June 22, 2020, Elm Hills shall mail written notice of the hearing to customers as required by 20 CSR 4240-10.075(7)(A). In addition to the date and time of hearing, such notice shall include:

- a. Instructions for registering to participate in the virtual public hearing,

³ Expanded to six days as the original due date was a Sunday.

which shall include the email address jointly proposed by the parties, elmhillscomments@psc.mo.gov;

b. An invitation to submit written comments about the utility's rates and quality of service and instructions for submitting written comments and questions;

c. Deadlines for registration and for submission of written comments and questions;

d. Information about the availability of a live web stream of the audio of the public hearing, available at www.psc.mo.gov;

e. A summary of the proposed rates and charges, the effect of the proposed rates on an average residential customer's bill, and any other company requests that may affect customers, if known; and

f. Single-page case statements prepared by each of the parties, which may include the information required in subpart e above.

13. Staff shall file in this case no later than June 26, 2020, a copy of the notice to customers.

14. This order shall be effective on June 17, 2020.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and
Holsman CC., concur.

Hatcher, Regulatory Law Judge