

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

In the Matter of the Highway H Utilities,)
Inc.'s Small Sewer Company Rate Increase)
Request.)

Case No. SR-2009-0392

In the Matter of the Highway H Utilities,)
Inc.'s Small Water Company Rate Increase)
Request.)

Case No. WR-2009-0393

**THE OFFICE OF THE PUBLIC COUNSEL'S WITHDRAWAL OF
REQUEST FOR LOCAL PUBLIC HEARING**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Withdrawal of Request for Local Public Hearing states as follows:

1. On October 29, 2009, Public Counsel filed its Request for Local Public Hearing, or in the alternative, Request for Evidentiary Hearing.
2. On November 12, 2009, in its *Order Suspending Tariffs and Setting Hearings*, the Missouri Public Service Commission (Commission) granted Public Counsel's request for a local public hearing in this matter.
3. On December 1, 2009, Public Counsel filed a request for additional time to send the local public hearing notice stating that since Public Counsel's request for a local public hearing, the parties have been engaged in discussions to come to a resolution in this matter.
4. On December 1, 2009, the Commission granted Public Counsel's request and ordered that the time for Highway H Utilities, Inc. (Highway H) to send notice of the local public hearing to its customers be extended to December 4, 2009.

5. Public Counsel now states that it believes that a resolution to this matter has been reached and an agreement is forthcoming, negating the need for a local public hearing.

6. Therefore, Public Counsel now withdraws its request for a local public hearing in this matter.

WHEREFORE, Public Counsel respectfully withdraws its request for a local public hearing.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

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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 4th day of December 2009:

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