

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

In the Matter of Middlefork Water Company                    )  
Requesting a Rate Increase.    )        Case No. WR-2010-0309

**THE OFFICE OF THE PUBLIC COUNSEL'S POSITION STATEMENT**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Position Statement states as follows:

1. On May 4, 2010, Middlefork Water Company (Middlefork) initiated a small company rate increase proceeding with the Missouri Public Service Commission (Commission) requesting an increase of \$55,000 in its total annual water service operating revenues.
2. On October 1, 2010, the Staff of the Missouri Public Service Commission (Staff) filed a Notice of Agreement Regarding Disposition of Small Company Rate Increase Request (Company/Staff Agreement) indicating agreement between Staff and Middlefork for a two-step total annualized operating revenue increase of \$145,429 per year. Public Counsel did not join in the agreement.
3. Revised tariff sheets reflecting the proposed two-step increase in rates agreed to in the Company/Staff Agreement were filed by Middlefork on October 6, 2010.
4. 4 CSR 240-3.050(19) requires Public Counsel to file a pleading stating its position regarding the Company/Staff Agreement and the related tariff revisions, or requesting that the Commission hold an evidentiary hearing, and providing the reasons for its position or request, no later than ten (10) working days after the local public hearing.

5. Public Counsel now states its position that while it does not agree with the Company/Staff Agreement and related tariff revisions, it will not oppose their approval by the Commission.

6. 4 CSR 240-3.050(14) requires a written notice of the proposed tariff revisions no later than five (5) working days after the utility makes its tariff filing. Given Public Counsel's position that it will not oppose the Company/Staff Agreement, it is likely the Commission will approve the Agreement and proposed tariffs and order a final notice to be sent to Middlefork's customers within a short timeframe. To prevent the unnecessary duplicative costs of preparing and mailing a customer notice and a separate final notice at a later date, Public Counsel requests a waiver of the requirement that the written notice of the proposed tariff revisions be mailed no later than five (5) working days after the utility makes its tariff filing as contemplated in 4 CSR 240-3.050(14).

**WHEREFORE,** Public Counsel respectfully submits its Position Statement.

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 6<sup>th</sup> day of October 2010:

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**/s/ Christina L. Baker**

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