

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

In the Matter of Small Company Rate Increase of) Case No. WR-2011-0037
Tri-States Utility, Inc.)

**THE OFFICE OF THE PUBLIC COUNSEL’S REQUEST
FOR LOCAL PUBLIC HEARING**

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

1. On August 13, 2010, Tri-States Utility, Inc (Tri-States) initiated a small company rate increase proceedings with the Missouri Public Service Commission (Commission) requesting an increase in its water rates of \$620,000 (63.26%) per year.
2. On January 11, 2011, 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 Tri-States for a water rate increase of \$104,824 annually (approximately 11.5%). Public Counsel did not join in the agreement.
3. A revised tariff sheet reflecting the proposed rates agreed to in the Company/Staff Agreement were filed by Tri-States on January 18, 2011. The proposed tariff sheet contains an effective date of March 4, 2011.
4. As the Company/Staff Agreement was executed by only Tri-States and Staff, 4 CSR 240.3-050(15) requires Public Counsel to file a pleading stating its position regarding the Company/Staff Agreement and the related proposed tariff revisions, or requesting a local public

hearing or an evidentiary hearing, no later than five (5) working days after the end of the comment period for the written customer notice contemplated in 4 CSR 240-3.050(14).

5. Affording customers the opportunity to speak Commission at a hearing is a critical part of the ratemaking process. The proposed rate increase is substantial and customers should have the opportunity to voice their concerns to the Commission at a local public hearing. Therefore, pursuant to 4 CSR 240-3.050(15), Public Counsel requests a local public hearing.

6. Public Counsel does not object to the Commission scheduling the hearing promptly, as long as customers are given at least 7 days notice.

7. Section 393.150 RSMo provides that the Commission may suspend tariff sheets for a maximum period of 120 days plus six months. Scheduling and providing notice of a local public hearing in this case would require additional time beyond the March 4th effective date of the proposed tariff revisions. Therefore, Public Counsel requests that the Commission suspend the proposed revised tariff sheet for a sufficient period to allow adequate time for a local public hearing and subsequent case disposition as appropriate.

WHEREFORE, Public Counsel respectfully requests that the Commission schedule a local public hearing.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By:_____

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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 24th day of February 2011:

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