

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

In the Matter of Oakbrier Estates Small ) **File No. WR-2009-0229**  
Company Rate Increase ) **Tariff No. YW-2009-0766**

## ORDER GRANTING REQUEST FOR A LOCAL PUBLIC HEARING AND SUSPENDING TARIFF

Issue Date: June 4, 2009

Effective Date: June 4, 2009

On November 26, 2008, Oakbrier Water Company, Inc., initiated a small water company rate increase action pursuant to Commission rule 4 CSR 240-3.050. After the Staff of the Commission completed a full audit of the company, the company and Staff agreed that the company's annualized sewer system operating revenue should be increased by \$2,530.

In April of 2009, Staff and the company filed a Disposition Agreement that included comprehensive accounting schedules, a review of the company's customers service and business operations and a sample tariff designed to implement the agreed upon revenue requirements. The company filed revised tariff sheets reflecting the Disposition Agreement. The tariff sheets bear an effective date of June 15.

The Office of the Public Counsel did not join in the agreement but instead filed a motion to suspend the tariff and either set the matter for an evidentiary hearing or hold a local public hearing. Public Counsel suggests that Staff's Engineering and Management Service Department Report, filed with the Agreement, indicates that there are inappropriate fees and charges not provided for in the company's tariff. This is sufficient reason for the Commission to grant Public Counsel's requests for a local public hearing.

Commission rule 4 CSR 240-2.110(1) requires the Commission to set the time and place for hearings and serve notice as required by law. Section 386.390.5, RSMo 2000, requires at least ten days notice to be given prior to a hearing. In complying with its statutory mandate, and taking into consideration the expedited nature of the small water company rate increase procedure, the Commission shall set a date for the local public hearing, by separate order, as reasonably close to June 29 as is practical

Because the date for the local public hearing is beyond the effective date for the tariff, the Commission will suspend the tariff.

**THE COMMISSION ORDERS THAT:**

1. The Office of the Public Counsel's request for a local public hearing is granted.
2. The following revised tariff sheets filed by Oakbrier Water Company, Inc. and assigned Tariff File No. YW-2009-0766, are suspended until August 14, 2009, or until otherwise ordered by the Commission:

**P.S.C. MO No. 1**

1<sup>st</sup> Revise Sheet No. 5, Canceling Original Sheet No. 5  
1<sup>st</sup> Revised Sheet No. 6, Canceling Original Sheet No. 6

3. The Commission shall set a local public hearing by separate order.

4. This order shall become effective upon issuance.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Kennard L. Jones, Senior Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 4th day of June, 2009.