

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

In the Matter of I.H. Utilities, Inc.,)
Small Company Rate Increase)

File No. WR-2010-0048

MOTION TO MODIFY ORDER APPROVING DISPOSITION AGREEMENT

COMES NOW the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), by and through Counsel, and for its *Motion* states:

1. On August 3, 2009, Staff filed the *Company/Staff Agreement Regarding Disposition of Small Water Company Revenue Increase Request* (“Agreement”).

2. October 21, 2009, the Commission entered its *Order Approving Disposition Agreement and Tariff* (“Order”), in which it approved the Agreement, and ordered I.H. Utilities, Inc. (“I.H.”) to comply with the provisions of the Agreement.

3. It is Staff’s understanding that on or about February 23, 2010, Mr. James L. Stanley, President and co-owner of I.H. passed away. Mr. Stanley acted as the primary operator of I.H.

4. Provisions (12)c., (13)a., and (14)b. of the Agreement require the completion of certain actions by I.H. within specified time frames.

5. Provision (12) c. within the Agreement states:

(12) Within three (3) months of the effective date of an order approving this Disposition Agreement, the Company will implement the following recommendations and provide documentation to support its actions to the Commission’s Auditing Manager:

c. The Company will obtain adequate commercial insurance coverage on all of the Company’s business facilities. The Company will provide a copy of the insurance policy to the Auditing Manager when the policy is issued and will notify the Auditing Manager of any changes to the policy in the future.

6. Staff reports to the Commission that I.H. did not meet the January 27, 2010 date for obtaining insurance. It is Staff's understanding that Mrs. Stanley has obtained one quote from an insurance vendor, and is in the process of obtaining additional quotes prior to securing insurance.

7. Provision (13) a. within the Agreement states:

- (13) Within three (3) months of the effective date of an order approving this Disposition Agreement, the Company will implement the following recommendations and provide proof of completion to the Manager of the Commission's Water and Sewer Department (Water and Sewer Manager):
 - a. The Company will have a survey completed of the land that contains all the wells, well buildings, storage tank, and chlorine building and any easements. In addition, the owners of the property will lawfully transfer any property not in the Company's name to the Company and will provide copies of deeds to the Water and Sewer Manager as outlined above.

8. Staff reports to the Commission that I.H. did not meet the January 27, 2010 date for completing the survey and providing copies of deeds to the Staff. It is Staff's understanding that Mrs. Stanley has contacted a surveyor to complete this provision.

9. Provision (14) b. within the Agreement states:

- (14) Within six (6) months of the effective date of an order approving this Disposition Agreement, the Company will implement the following recommendations and provide proof of completion to the Water and Sewer Manager:
 - b. The Company will install a master meter in well two.

10. Staff notes that the deadline for completion of (14) b. has not yet arisen, that date being April 27, 2010. However, as Mr. Stanley was the primary operator, extending the deadline should allow Mrs. Stanley a reasonable amount of time to arrange completion of installation of a master meter on the water system's well two.

11. Staff believes extending the deadlines of provisions (12)c., (13)a., and (14)b.'s as described above allows a sufficient amount of time under the circumstances for Mrs. Stanley to complete the terms of the Agreement.

12. Staff recommends and moves that the Commission modify its *Order Approving Disposition Agreement and Tariff* and order provisions (12)c., (13)a., and (14)b.'s time frames extended by 45 days past the effective date of such order.

WHEREFORE the Staff requests that the Commission enter an order modifying its *Order Approving Disposition Agreement and Tariff* and extending each of the time frames indicated in Provisions (12)c., (13)a., and (14)b. of the Agreement as specified here-in.

Respectfully submitted,

/s/ Sarah Kliethermes

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 19th day of April, 2010.

/s/ Sarah Kliethermes