

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Valley)	
Woods Water Co., Inc. for an Increase in)	<u>File No. WR-2010-0139</u>
Annual Water System Operating Revenues)	Tariff No. YW-2010-0592

In the Matter of the Application of Valley)	
Woods Water Co., Inc. for an Increase in)	<u>File No. SR-2010-0140</u>
Annual Sewer System Operating Revenues)	Tariff No. YS-2010-0593

ORDER GRANTING REQUEST FOR A LOCAL PUBLIC HEARING AND SUSPENDING TARIFF

Issue Date: May 11, 2010

Effective Date: May 11, 2010

Background

On November 3, 2009, Valley Woods Water Co., Inc. ("Valley Woods") initiated a small water and a small sewer company rate increase action pursuant to Commission Rule 4 CSR 240-3.050. On April 2, 2010,¹ Staff and Valley Woods filed a Disposition Agreement ("Agreement") that included comprehensive accounting schedules, a review of Valley Woods' customer service and business operation and example tariffs designed to implement the agreed upon revenue requirements. On April 7, Valley Woods filed revised tariff sheets reflecting certain rate and language changes to bring the tariffs into full conformity with the Agreement. The tariff sheets bear an effective date of May 24.

Public Counsel's Response

The Office of the Public Counsel ("Public Counsel") did not join in the Agreement. Instead, on May 10, Public Counsel requested a local public hearing. Public Counsel notes

¹ All dates from this point forward refer to the year 2009 unless otherwise noted.

that the Agreement would result in rate increases considerably higher than the rate increases Valley Woods originally requested. This is sufficient for the grant of a public hearing.

The time-line filed by Staff, which is the procedural schedule by operation of 4 CSR 240-3.050(5), contemplates holding a local public hearing on, or around, June 7, 2010. Additionally, 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 536.067(4), RSMo 2000, and Section 386.390.5, RSMo 2000, require at least ten days notice be given prior to a hearing. In complying with its statutory mandate, and taking into consideration the expedited nature of the small water and sewer company rate increase procedure, the Commission shall set the date for the local public hearing, by separate order, that is as reasonably close to June 7th as is practical.

Tariff Suspension

Because the date for the local public hearing likely will be beyond the effective date for the tariffs, the Commission shall suspend the tariffs.

THE COMMISSION ORDERS THAT:

1. That the following revised tariff sheets filed by Valley Woods Water Co., Inc. on April 7, 2010, and assigned Tariff File No. YW-2010-0592, are suspended until October 3, 2010, or until otherwise ordered by the Commission:

P.S.C. MO No. 1

1st Revised Sheet No. 4, Replacing Original Sheet No. 4

1st Revised Sheet No. 5, Canceling Original Sheet No. 5

2. That the following revised tariff sheets filed by Valley Woods Water Co., Inc. on April 7, 2010, and assigned Tariff File No. YS-2010-0593, are suspended until October 3, 2010, or until otherwise ordered by the Commission:

P.S.C. MO No. 1

1st Revised Sheet No. 4, Canceling Original Sheet No. 4
1st Revised Sheet No. 5, Canceling Original Sheet No. 5
1st Revised Sheet No. 7, Canceling Original Sheet No. 7
1st Revised Sheet No. 8, Canceling Original Sheet No. 8
1st Revised Sheet No. 11, Canceling Original Sheet No. 11
1st Revised Sheet No. 12, Canceling Original Sheet No. 12
1st Revised Sheet No. 13, Canceling Original Sheet No. 13
1st Revised Sheet No. 14, Canceling Original Sheet No. 14
1st Revised Sheet No. 15, Canceling Original Sheet No. 15
Original Sheet No. 15a

3. The Commission shall set a local public hearing by separate order.
4. This order shall become effective immediately upon issue.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Ronald D. Pridgin, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 11th day of May, 2010.