

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)
KMB Utility Corporation for a)
Water Rate Increase)

File No. WR-2010-0345

Tracking No. YW-2011-0214

ORDER APPROVING COMPLIANCE TARIFF WITH EXPEDITED EFFECTIVE DATE

Issue Date: January 27, 2011

Effective Date: February 1, 2011

The Missouri Public Service Commission is granting the *Motion for Expedited Consideration and Approval of Tariff Sheets Filed on Less Than Thirty Days' Notice* ("motion") in its entirety and approving the tariff sheets filed on January 27, 2011, by KMB Utility Corporation ("the company").

I. Procedure

This action began on May 21, 2010, when KMB Utility Corporation ("the company") filed a letter asking the Commission for a revenue increase. Such action is subject to 4 CSR 240-3.050. That regulation allows for the resolution of this action by the filing of a disposition agreement and an accompanying tariff sheets.¹

On October 22, 2010, Staff filed revised tariff sheets. On November 23, 2010, the Office of the Public Counsel ("OPC") filed a *Request for Local Public Hearing* ("request"), which required the Commission to suspend the tariff.² The Commission did so by order dated December 1, 2010, which started a contested case.³ But on January 24, 2011, Staff filed the motion and the parties filed the *Unanimous Agreement Regarding Disposition of Small Water Company Revenue Increase Request* ("unanimous agreement") executed by

¹ 4 CSR 240-3.050(14).

² 4 CSR 240-3.050(20).

³ Section 393.150.1, RSMo 2000.

all parties. Because OPC's execution of the unanimous agreement and OPC's request are mutually exclusive,⁴ so OPC's execution of the unanimous agreement constitutes a withdrawal of the request. Therefore, the Commission will lift the suspension, decide this action as a non-contested case, and determine all issues without separately stating its findings of fact.

On January 26, 2011, the Commission issued its *Order Approving a Small Company Rate Increase and Ordering the Filing of Tariff Sheets* ("order"). The order granted the motion in part and required the company to file substitute tariff sheets with an effective date of February 1, 2011. On January 27, 2011, in compliance with the order, the company filed the tariff sheets.

II. The Tariff

A tariff may take effect without any procedure other than filing.⁵ In the order, the Commission found that:

- The tariff sheets describe service that is safe and adequate at rates that are just and reasonable.
- Good cause exists for the tariff sheets to be effective in less than 30 days.

The tariff sheets comply with the order so the Commission will approve them to become effective in less than 30 days.

THE COMMISSION ORDERS THAT:

1. Effective on February 1, 2011, the Commission lifts the suspension of the tariff sheets to which the Commission assigned Tracking No. YW-2011-0214. The Commission

⁴ 4 CSR 240-3.050(13), (14), and (15).

⁵ Section 393.150.1, RSMo 2000.

approves those tariff sheets to become effective on February 1, 2011. The specific tariff sheets approved are:

P.S.C. MO No.1:

**4th Revised Sheet No. 6A, Cancelling 3rd Revised Sheet No. 6A;
6th Revised Sheet No. 6B, Cancelling 5th Revised Sheet No. 6B;
5th Revised Sheet No. 6C, Cancelling 4th Revised Sheet No. 6C;
5th Revised Sheet No. 6D, Cancelling 4th Revised Sheet No. 6D;
4th Revised Sheet No. 6E, Cancelling 3rd Revised Sheet No. 6E;
1st Revised Sheet No. 6F, Cancelling Original Sheet No. 6F; and
5th Revised Sheet No. 7, Cancelling 4th Revised Sheet No. 7.**

2. This order shall become effective on February 1, 2011.
3. This file shall close on February 2, 2011.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Daniel Jordan, Senior Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 27th day of January, 2011.