

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Small Company	)	
Rate Increase for Woodland Manor	)	<b><u>File No. WR-2013-0326</u></b>
Water Company, LLC	)	Tariff No. YW-2013-0500

## ORDER WAIVING CUSTOMER NOTICE REQUIREMENT

Issue Date: May 13, 2013

Effective Date: May 13, 2013

On May 6, 2013, Woodland Manor Water Company, LLC, and the Commission's Staff filed a notice indicating that they have reached an agreement regarding the company's request for a water rate increase. By that agreement, Woodland Manor and Staff ask the Commission to approve an increase of \$24,141 in the company's annual operating revenue. The Office of the Public Counsel did not sign the agreement, but on May 13, filed a position statement explaining that it will not oppose the agreement. Also on May 13, Woodland Manor filed a tariff to implement the agreed upon revenue increase.

Since Public Counsel did not sign the agreement, Commission Rule 4 CSR 240-3.050(14) requires Woodland Manor to mail written notice of the terms of its agreement with Staff to each of its customers no later than five working days after it files its tariff. In this case, that notice would have to be mailed by May 20. The purpose of that requirement is to allow for a customer comment period to be completed before Public Counsel must to state its position regarding the agreement. Because Public Counsel has already indicated it will not oppose the agreement, the situation is now similar to when the company, Staff and Public Counsel all sign the rate agreement. In that situation, 4 CSR 240-3.050(13) does not require an interim notice be given to customers before the Commission decides whether to approve the agreement.

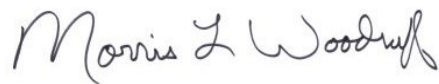
Public Counsel recognizes that situation and concludes that it would be burdensome to Woodland Manor, and ultimately its ratepayers, to incur the cost of mailing the interim notice to its customers. For that reason, Public Counsel asks the Commission to waive the regulation's interim customer notice requirement. The waiver proposed by Public Counsel would not affect the final written customer notice required by 4 CSR 240-3.050(22) if the Commission approves the agreement and the resulting rate increase.

The Commission finds Public Counsel's request for waiver to be reasonable and in the public interest. The Commission will waive that provision of its rule. In doing so, the Commission makes no determination about the appropriateness of the rate agreement. The Commission will make that determination in a subsequent order.

**THE COMMISSION ORDERS THAT:**

1. The provision in Commission Rule 4 CSR 240-3.050(14) that would require Woodland Manor Water Company, LLC, to mail an interim notice to its customers is waived.
2. This order shall become effective upon issuance.

**BY THE COMMISSION**

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

Morris L. Woodruff, Chief Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 13<sup>th</sup> day of May, 2013.