

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

In the Matter of Rex Deffenderfer Enterprises, Inc.)
Request for an Increase in Annual Water System)
Operating Revenues.)
Case No. WR-2011-0056

**THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE STAFF’S REQUEST
TO CANCEL LOCAL PUBLIC HEARING**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response to Staff’s Request to Cancel Local Public Hearing states as follows:

1. On March 17, 2011, the Staff of the Missouri Public Service Commission (Staff) filed a Status Report stating that Staff, Public Counsel and Rex Deffenderfer Enterprises (RDE) have reached a settlement agreement that resolves all issues in this rate increase request.
2. Additionally in a separate filing on that same day, Staff filed a Request to cancel the local public hearing scheduled for March 23, 2011.
3. As Public Counsel stated in its request for the local public hearing, affording customers the opportunity to speak to the Missouri Public Service Commission at a hearing is a critical part of the ratemaking process. That a settlement agreement has been reached but not yet filed does not change that fact. Additionally, notice has gone out to the customers and the local public hearing is less than a week away. Cancelling the local public hearing at this late date would be confusing for the customers especially since it would be difficult to provide sufficient notice of its cancellation.
4. Therefore, Public Counsel opposes Staff’s Request to cancel the local public hearing in this case.

WHEREFORE, Public Counsel respectfully submits its Response.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By:_____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 17th day of March 2011:

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