

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Request for an)
Increase in Water Operating Revenues of) File No. WR-2013-0017
Emerald Pointe Utility Company)

ORDER EXTENDING TIMELINE, BUT DENYING REQUEST FOR LOCAL PUBLIC HEARING

Issue Date: October 15, 2012

Effective Date: October 15, 2012

On October 11, 2012, the Commission's Staff filed a motion stating that it and Emerald Pointe Utility Company have agreed the Small Utility Rate Case Timeline should be extended to allow Staff and the company an additional 60 days to negotiate a disposition agreement. The Commission's rule, 4 CSR 240-3.050(12), permits such an extension if it is agreed to by Staff and the company. Given the agreement of Staff and Emerald Pointe, the Commission will grant Staff's motion and will adopt the extended timeline filed by Staff.

Staff also asks the Commission to schedule a local public hearing at the Commission's "earliest convenience". In its response to Staff's request for a local public hearing, filed on October 12, Public Counsel complains that scheduling a local public hearing before February 11, 2013, when Staff and Emerald Pointe will file their disposition agreement under the revised rate case timeline, would not allow ratepayers an opportunity to question or comment upon that agreement.

Staff's motion is not clear about when it wants the Commission to hold a local public hearing. If Staff is requesting that a local public hearing be held before the disposition agreement is filed, Public Counsel's concerns are well founded. Holding a local public hearing before the disposition agreement is filed could require the Commission to schedule another

local public hearing after the disposition agreement is filed and would not be a good use of the Commission's resources or those of Emerald Pointe. If Staff is merely indicating its belief that a local public hearing will be appropriate after the disposition agreement is filed, its request that such local public hearing be scheduled is premature. Under either circumstance, the Commission will deny Staff's request.

THE COMMISSION ORDERS THAT:

1. Staff's Motion to Extend Filing of Disposition Agreement is granted.
2. The revised Small Utility Rate Case Timeline proposed by Staff is adopted. As provide in that timeline, the deadline for filing a disposition agreement is extended to February 11, 2013.
3. Staff's request that a local public hearing to be scheduled at this time is denied.
4. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

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 15th day of October, 2012.