

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

In the Matter of the Request of Taney            )  
County Water Company for a Small            )        File No. WR-2012-0163  
Company Rate Increase.                        )

**THE OFFICE OF THE PUBLIC COUNSEL’S POSITION STATEMENT**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Position Statement states as follows:

1. On November 28, 2011, Taney County Water Company (Taney County) initiated a small company rate increase proceeding with the Missouri Public Service Commission (Commission) requesting an increase in its water rates of \$49,000 (approximately 45%) per year.
2. On April 26, 2012, the Staff of the Missouri Public Service Commission (Staff) filed a Notice of Company/Staff Agreement Regarding Disposition of Small Company Rate Increase Request (Company/Staff Agreement) indicating an agreement between Staff and Taney County for a water rate increase of \$42,468 annually (approximately 38.4%). Public Counsel did not join in the agreement.
3. Revised tariff sheets reflecting the proposed rates agreed to in the Company/Staff Agreement were filed by Taney County on May 1, 2012.
4. As the Company/Staff Agreement was executed by only Taney County and Staff, 4 CSR 240.3-050(15) requires Public Counsel to file a pleading stating its position regarding the Company/Staff Agreement and the related proposed tariff revisions, or requesting a local public hearing or an evidentiary hearing, no later than five (5) working days after the end of the comment period for the written customer notice contemplated in 4 CSR 240-3.050(14).

5. Pursuant to the requirements in 4 CSR 240-3.050(15), Public Counsel now states that it will not object to the Company/Staff Agreement or the related tariff revisions filed in the above stated case.

6. As stated above, 4 CSR 240-3.050(14) requires a written notice of the proposed tariff revisions no later than five (5) working days after the utility makes its tariff filing.

7. Additionally, 4 CSR 240-3.050(22) requires a final written notice of Commission approval of any tariff revisions resulting from a small utility rate case.

8. Given that Public Counsel will not object to the Company/Staff Agreement, Public Counsel believes that it would be burdensome to Taney County and its customers to require a written customer notice as contemplated in 4 CSR 240-3.050(14) as well as a final written notice per 4 CSR 240-3.050(22), if the Commission approves the Company/Staff Agreement and the related tariff revisions. Consequently, Public Counsel requests a waiver of the written customer notice as contemplated in 4 CSR 240-3.050(14). The final written notice per 4 CSR 240-3.050(22) would still be required.

**WHEREFORE**, Public Counsel respectfully submits its Position.

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 3<sup>rd</sup> day of May 2012:

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**/s/ Christina L. Baker**

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