

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

In the Matter of Small Company Rate)
Increase of Tri-States Utility Inc.)

Case No. WR-2009-0058

MOTION TO CORRECT ORDER APPROVING DISPOSITION AGREEMENT

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through the undersigned counsel, and for its Motion states the following:

1. The Commission issued its *Order Approving Disposition Agreement, Approving Tariff And Closing Case* ("Order") on September 18, 2008.

2. Within this Order the Commission stated:

On September 3, the Staff of the Commission filed a unanimous agreement entered into between it, the company and the Office of the Public Counsel. Attachment B of the agreement shows that the company's total operating revenue is \$991,380 but that the total cost of service is \$989,198. *This resulted in an agreed-upon decrease of \$2,182 in revenues.*

(emphasis added) Order at page 1, second paragraph.

3. In the rate making income statement, generated by Staff, and filed with the Unanimous Agreement Regarding Disposition of Small Water Company Revenue Increase Request ("Disposition Agreement") as Attachment B, a decrease of \$2,182 in revenues was shown. However, the agreement between Staff, Office of the Public Counsel, and Tri-States Utility, Inc. was to maintain rates at current levels. This agreement is set out in the Disposition Agreement at the end of paragraph 2 on page 2, which states:

(2) That except as otherwise noted in the agreements below, the ratemaking income statement attached hereto as Attachment B accurately reflects the Company's annualized revenues generated by its current customer rates, the agreed-upon total annualized cost of service for the Company, *and the resulting agreed-upon continuance of the existing rates is sufficient for the Company to recover its cost of service.*

(emphasis added).

WHEREFORE, Staff respectfully requests, for the sake of clarity, deletion of or correction of the sentence within the Commission's Order, which states "*This resulted in an agreed-upon decrease of \$2,182 in revenues.*"

Respectfully Submitted,

/s/ Shelley Syler Brueggemann
Shelley Syler Brueggemann
Missouri Bar No. 52173

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 526-7393 (Telephone)
(573) 751-9285 (Fax)
shelley.brueggemann@psc.mo.gov (e-mail)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Recommendation has been provided, either by first-class mail, by electronic mail, by facsimile transmission or by hand-delivery, to each attorney and/or party of record for this case on this 18th day of September 2008.

/s/ Shelley Syler Brueggemann