

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public  
Service Commission held at its  
office in Jefferson City on the  
16<sup>th</sup> day of April, 2014.

In the Matter of a Requested Rate Increase for	)	
Annual Sewer Operating Revenues by	)	File No. SR-2014-0166
Hickory Hills Water & Sewer	)	

In the Matter of a Requested Rate Increase for	)	
Annual Water Operating Revenues by	)	File No. WR-2014-0167
Hickory Hills Water & Sewer	)	

**ORDER DENYING EMERGENCY RATE RELIEF**

Issue Date: April 16, 2014

Effective Date: April 16, 2014

The Missouri Public Service Commission is denying, without prejudice, the request for emergency rate relief (“motion”) because no party has yet shown any such relief that will provide safe and adequate service at just and reasonable rates.

Hickory Hills Water & Sewer, Inc. (“Hickory Hills”) filed the motion.<sup>1</sup> Staff filed a recommendation on the motion with estimated costs, a supporting workpaper, and affidavits.<sup>2</sup> The Office of the Public Counsel (“OPC”) filed a response to the recommendation.<sup>3</sup> No other party filed a response to the recommendation. No proposed tariff is on file that would enact any relief.

Hickory Hills serves 47 customers in Moniteau County. The motion alleges a “specific need to pump and haul contaminated wastewater from the lagoon to a permitted

---

<sup>1</sup> Electronic Filing and Information System (“EFIS”) No. 14, filed on March 17, 2014.

<sup>2</sup> EFIS No. 20, *Staff’s Recommendation Regarding Hickory Hills’ Request for Emergency Rate Increase*, filed on April 7, 2014.

<sup>3</sup> EFIS No. 22, *The Office of the Public Counsel’s Response to Staff’s Recommendation*, filed on April 11, 2014.

facility capable of accepting and treating the contaminated wastewater” (“contaminated lagoon”). Staff and OPC do not deny that allegation but, nevertheless, Staff and OPC oppose the motion as follows.

Staff’s recommendation includes several alternative temporary solutions and options for the contaminated lagoon. Each alternative involves a deployable Baffled BioReactor costing between \$1,500 and \$1,800 per month, depending on financing arrangements, capital expenses to accommodate that device, and monthly operating costs. Staff provisionally describes the alternatives and options as costing between \$6,680 and \$18,560.<sup>4</sup> But, as to each alternative and option, Staff notes the absence of “appropriate capital funding.” Therefore, Staff recommends deferring any determination until the approval of tariffs associated with the disposition agreement, which agreement is due on May 1, 2014. Further, as OPC notes, Staff’s proposed solutions are the only ones in the file. No other party has offered input on remediation for the contaminated lagoon, including Hickory Hills.

Moreover, Staff and OPC agree that the costs for each alternative are not fully known. Therefore, the Commission does not conclude whether any alternative supports safe and adequate service at just and reasonable rates. Therefore, the Commission will deny the motion and order the following.

**THE COMMISSION ORDERS THAT:**

1. The request for emergency rate relief is denied without prejudice to a later filing.
2. Any further request for emergency rate relief shall include proposed tariff sheets to enact the relief sought.

---

<sup>4</sup> EFIS No. 20, *Staff’s Recommendation Regarding Hickory Hills’ Request for Emergency Rate Increase*, filed on April 7, 2014, *Memorandum*, ages 5-7.

3. This order shall become effective immediately upon issuance.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff  
Secretary

R. Kenney, Chm., Stoll, W. Kenney,  
Hall, and Rupp, CC., concur.

Jordan, Senior Regulatory Law Judge