

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

In the Matter of Cedar Green Land Acquisition, LLC )  
for a Certificate of Convenience and Necessity )  
Authorizing it to Own, Operate, Maintain, Control and )  
Manage Water Systems in Camden County, Missouri.)

**File No. WA-2013-0117**  
Tariff No. YW-2014-0009

In the Matter of Cedar Green Land Acquisition, LLC )  
for a Certificate of Convenience and Necessity )  
Authorizing it to Own, Operate, Maintain, Control and )  
Manage Sewer Systems in Camden County, Missouri.)

**File No. SA-2013-0354**  
Tariff No. YS-2014-0010

**STAFF’S RECOMMENDATION TO APPROVE TARIFF SHEETS  
AS IN COMPLIANCE WITH COMMISSION ORDER  
AND MOTION TO APPROVE TARIFF FILING  
ON LESS THAN THIRTY DAYS’ NOTICE**

**COMES NOW** the Staff (“Staff”) of the Missouri Public Service Commission (“Commission”), by and through counsel, and for its recommendation to approve the tariff sheets filed on July 3, 2013, in the above-referenced matters, and for its motion to approve the tariff sheets on less than 30 days’ notice, hereby states:

1. On June 19, 2013, the Commission issued its *Order Approving Unanimous Stipulation and Agreement and Granting Certificates of Convenience and Necessity* in File Nos. WA-2013-0117 and SA-2013-0354.

2. On July 3, Cedar Green Land Acquisition, LLC (“Cedar Green”) filed tariff sheets for water service in WA-2013-0117 (Tariff No. YW-2014-0009) and for sewer service in SA-2013-0354 (Tariff No. YS-2014-0010) to comply with the Commission’s order. The tariff sheets in both matters bear an effective date of August 2, 2013, which provides 30 days’ notice as required by § 393.140(11) RSMo.

3. On July 8, the Commission issued an order directing Staff to file a recommendation no later than July 17, 2013, as to whether the tariff sheets are in compliance with the Commission's June 19 order.

4. Staff has reviewed the tariff sheets filed by Cedar Green. Staff finds the tariff sheets comply with the Commission's June 19 order, and Staff supports approval of the tariff sheets. See the *Affidavit of James A. Merciel, Jr.*, attached hereto as Appendix A and incorporated herein by reference.

5. Further, Staff hereby requests the Commission issue an order allowing the proposed tariff sheets to go into effect on August 1, 2013—a day earlier than the effective date listed on the tariff sheets.

6. Section 393.140(11) RSMo. provides that the Commission, for good cause shown, may allow the tariff sheets to take effect on less than 30 days' notice.

7. In this case, good cause exists because an effective date of August 1 will allow Cedar Green to bill its water and sewer customers under the new Commission-approved rates beginning on August 1. Currently, Cedar Green bills customers on a quarterly basis; the current quarter began on July 1, so Cedar Green sent customers a one-month bill for July service under the old rate. If the proposed water and sewer tariff sheets are allowed to take effect August 1, Cedar Green and its customers will be able to make an efficient transition to the new Commission-approved rates as soon and as simply as reasonably possible. Cedar Green will be able to send bills for two complete months of the quarter, rather than allocating individual days of the billing period to both the existing rates and the new Commission-approved rates.

8. Staff has discussed this motion with Cedar Green and the Office of the Public Counsel (“Public Counsel”), and both Cedar Green and Public Counsel indicated to Staff that they support this motion to approve the tariff sheets in these matters on less than 30 days’ notice.

**WHEREFORE**, Staff respectfully recommends the Commission issue an order approving Cedar Green’s proposed tariff sheets YW-2014-0009 and YS-2014-0010, and granting Staff’s motion to approve the tariff sheets on less than 30 days’ notice to allow the tariff sheets to take effect August 1, 2013.

Respectfully Submitted,

**/s/ John D. Borgmeyer**

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**CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the foregoing were served electronically to all counsel of record this 10<sup>th</sup> day of July, 2013.

**/s/ John D. Borgmeyer**

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of Cedar Green Land Acquisition, LLC for a Certificate of Convenience and Necessity Authorizing to Own, Operate, Maintain, Control and Manage Water Systems in Camden County, Missouri ) File No. WA-2013-0117 ) Tariff File No. YW-2014-0009 )

In the Matter of Cedar Green Land Acquisition, LLC for a Certificate of Convenience and Necessity Authorizing it to Own, Operate, Maintain, Control and Manage Sewer Systems in Camden County, Missouri ) File No. SA-2013-0354 ) Tariff File No. YW-2014-0010 )

AFFIDAVIT OF JAMES A. MERCIEL, JR., P.E.

STATE OF MISSOURI ) ) ss ) COUNTY OF COLE )

James A. Merciel, Jr., P.E., of lawful age, on his oath states: (1) that he is the Assistant Manager – Engineering in the Water and Sewer Unit of the Missouri Public Service Commission; (2) that he participated in the preparation of the foregoing STAFF’S RECOMMENDATION TO APPROVE TARIFF SHEETS AS IN COMPLIANCE WITH COMMISSION ORDER AND MOTION TO APPROVE TARIFF FILING ON LESS THAN THIRTY DAY’S NOTICE (Staff Recommendation), in memorandum form; (3) that certain information in the Staff Recommendation was provided by him; (4) that he has knowledge of matters set forth in the Staff Recommendation; and (5) that such matters set forth in the Staff Recommendation are true and correct to the best of his knowledge, information and belief.

Handwritten signature of James A. Merciel, Jr., P.E. in blue ink, with a horizontal line underneath it.

James A. Merciel, Jr., P.E.

Subscribed and sworn to before me this 9th day of June 2013.

Handwritten signature of Laura Bloch in blue ink, with a horizontal line underneath it. Notary Public

LAURA BLOCH
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: June 21, 2015
Commission Number: 11203914