

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 6<sup>th</sup> day of March, 2013.

In the Matter of an Investigation into the )  
Operations and Conditions of Tri-States Utility, Inc. )

**File No. WO-2013-0403**

# ORDER OPENING AN INVESTIGATION INTO THE OPERATIONS AND CONDITION OF TRI-STATES UTILITY INC.

Issue Date: March 6, 2013

Effective Date: March 6, 2013

On February 26, 2013, the Commission's Staff and the Office of the Public Counsel jointly filed a motion asking the Commission to open an investigation into the operations and conditions of Tri-States Utility, Inc. Tri-States is a certificated water utility serving approximately 3,468 customers in Taney County, Missouri. The motion explains that Tri-States has recently encountered financial difficulties and has filed a Chapter 11 bankruptcy petition in federal court in Kansas. Staff and Public Counsel are concerned about Tri-States' ability to continue to provide safe and adequate service to its customers.

Section 393.140.2, RSMo 2000, gives the Commission authority to investigate the quality of water supplied and sewer service furnished by a regulated water or sewer utility. The Commission does not need to open a formal case for Staff to conduct such an investigation, but the creation of an investigative case will assist Staff in working with the company and other interested entities to ensure the company's compliance with all statutes and regulations in the provision of safe and adequate service to its customers. In addition, an open case will afford Staff and Public Counsel an opportunity to report to the Commission as appropriate.

Public Counsel does not need authority from the Commission to undertake its own investigation of Tri-States. Therefore, this order will not direct Public Counsel to take any action. However, Public Counsel is a party to this case and may participate in the case as appropriate.

This is only an investigative case and is not a contested case. The Commission will not take any action against Tri-States within the confines of this case. If the investigation reveals that any such action may be appropriate, Staff or Public Counsel may file a formal complaint or other appropriate pleading within a new case file to institute contested case procedures.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Staff shall undertake an investigation into the operations and conditions of Tri-States Utility, Inc.
2. The Commission's data center shall provide a copy of this order to Tri-States Utility, Inc.
3. This order shall become effective upon issuance.

**BY THE COMMISSION**



Shelley Brueggemann  
Acting Secretary

R. Kenney, Chm., Jarrett, Stoll, and  
W. Kenney, CC., concur.

Woodruff, Chief Regulatory Law Judge