

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 21st day of
October 2009.

In the Matter of I.H. Utilities, Inc.,)
Small Company Rate Increase)

File No. WR-2010-0048
Tracking No. YW-2010-0068

ORDER APPROVING DISPOSITION AGREEMENT AND TARIFF

Issue Date: October 21, 2009

Effective Date: October 27, 2009

The Missouri Public Service Commission is approving the disposition agreement entered into between the Commission's staff ("Staff") and I.H. Utilities, Inc., ("the company"), and unopposed by the Office of the Public Counsel ("OPC"). The Commission is also approving the associated tariff sheets ("tariffs") increasing rates for the company's water services. Such services supply approximately 700 residential customers in the Indian Hills subdivision in Crawford County.

On August 25, 2006, the company initiated a small company rate increase action. On August 3, 2009, Staff filed a Company/Staff Agreement Regarding Disposition of Small Water Company Revenue Increase Request ("disposition agreement") and tariffs. The Commission received a substitute page on August 10, 2009. Staff and the company signed the disposition agreement. OPC did not sign the disposition agreement.

On August 14, 2009, the Commission suspended the tariffs.¹ Suspending the tariffs initiated a contested case procedure.² Contested case procedure provides for waiver of an

¹ Section 393.150.1, RSMo 2000.

² Section 393.150.1, RSMo 2000, provides the right to a full pre-decision hearing on the tariff's propriety, which defines a contested case under Section 536.010(4), RSMo Supp. 2008.

evidentiary hearing³ and other procedural formalities⁴ by stipulation, agreement, and settlement.⁵ The disposition agreement constitutes such an informal resolution because it proposes to fully dispose of all issues pertaining to the company's request.

On October 6, 2009, the Commission convened a local public hearing on the disposition agreement and tariffs. On October 13, 2009, Staff filed a statement of no change in Staff's position. On October 16, 2009, any request for an evidentiary hearing from OPC was due. OPC filed no request for an evidentiary hearing. On that date, OPC filed a statement of no opposition to the disposition agreement. Because all parties have either joined in the disposition agreement, or stated no opposition to it, they have waived further procedural formalities, including an evidentiary hearing.⁶

Based on the Commission's examination of the disposition agreement, the verified documents, and other evidence on file in this action, the Commission independently finds and concludes that the disposition agreement is in the public interest, and that the tariffs set rates that are just and reasonable. Therefore, the Commission will approve, and direct the company to comply with, the disposition agreement and tariffs. The Commission will also incorporate the disposition agreement into this decision as if set forth at length.

THE COMMISSION ORDERS THAT:

1. The Company/Staff Agreement Regarding Disposition of Small Water Company Revenue Increase Request is approved and incorporated into this decision as if set forth at length.

³ Section 536.060, RSMo 2000.

⁴ Sections 536.060(3) and 536.063(3), RSMo 2000.

⁵ 4 CSR 240-2.115.

2. I.H. Utilities, Inc., is directed to comply with the Company/Staff Agreement Regarding Disposition of Small Water Company Revenue Increase Request.

3. The following tariff sheets filed by I.H. Utilities, Inc., on August 3, 2009, and assigned Tracking No. YW-2010-0068, are approved for service on and after October 27, 2009:

P.S.C. MO No. 3, Cancelling P.S.C. MO No. 2

P.S.C. MO No. 3

**Original Sheet No. 1
Original Sheet No. 2
Original Sheet No. 3
Original Sheet No. 4
Original Sheet No. 5
Original Sheet No. 6
Original Sheet No. 7
Original Sheet No. 8
Original Sheet No. 9
Original Sheet No. 10
Original Sheet No. 11
Original Sheet No. 12
Original Sheet No. 13
Original Sheet No. 14
Original Sheet No. 15
Original Sheet No. 16
Original Sheet No. 17
Original Sheet No. 18
Original Sheet No. 19
Original Sheet No. 20
Original Sheet No. 21
Original Sheet No. 22
Original Sheet No. 23
Original Sheet No. 24
Original Sheet No. 25
Original Sheet No. 26
Original Sheet No. 27
Original Sheet No. 28**

4. This order shall become effective on October 27, 2009.

⁶ Sections 536.060(3) and 536.063(3), RSMo 2000. For the same reason, the Commission need not separately state its findings of fact. Section 536.090, RSMo 2000.

5. This file shall close on October 28, 2009.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. C. Reed', written over a horizontal line.

Steven C. Reed
Secretary

(S E A L)

Clayton, Chm., Davis, Jarrett, Gunn,
and Kenney, CC, concur.

Jordan, Regulatory Law Judge