

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of The Raytown Water)
Company's Request for Annual Operating) **File No. WR-2020-0264**
Revenue Increase) **Tariff No. YW-2021-0047**

ORDER APPROVING TARIFF

Issue Date: August 28, 2020

Effective Date: September 8, 2020

On August 4, 2020, the Staff of the Commission, The Raytown Water Company and the Office of the Public Counsel (OPC) filed a unanimous disposition agreement to fully resolve Raytown Water Company's request for an increase in its annual overall operating revenues in a staff assisted rate case.

Raytown Water filed seven tariff sheets, and on August 18, 2020, Staff recommended approval of four of the tariff sheets. Raytown Water later withdrew the three disputed tariff sheets, including a sheet titled: P.S.C. MO No. 5 2nd Revised Sheet No. 10, Cancelling 1st Revised Sheet No. 10. After the August 19, 2020 withdrawal, only four of the five tariff sheets contemplated by the parties' agreement remained pending with the Commission.

On August 26, 2020, the Commission issued its *Order Approving Unanimous Disposition Agreement*. Effective September 8, 2020, the Commission's order approves four tariff sheets filed in Tariff No. YW-2021-0022, consistent with Staff's recommendation.

After the Commission issued its order, Raytown Water on August 26, 2020, filed a tariff revision, submitting a sheet titled: P.S.C. MO No. 5 2nd Revised Sheet No. 10, Cancelling 1st Revised Sheet No. 10. The tariff sheet, filed under Tariff No.

YW-2021-0047, bears a purported issue date of August 9, 2020, and an effective date of September 8, 2020.

On August 27, 2020, the Commission directed Staff to file an expedited recommendation regarding whether the tariff sheet filed in Tariff No. YW-2021-0047 complies with the Commission's August 26, 2020, order and the parties' unanimous disposition agreement and should otherwise be approved. The Commission also directed Staff to specify the reasons, if any, why the revised tariff must take effect on September 8, 2020, and the harm that would occur if the tariff took effect at a later date. The Commission also allowed OPC to respond, and OPC did not file a response.

On August 27, 2020, Staff filed its recommendation, advising that the revised tariff sheet complies with the parties' unanimous disposition agreement. Staff's recommendation explains Staff was not aware, until after the Commission's order was issued on August 26, 2020, that a compliant fifth tariff sheet had not been filed. In addition, Staff advises the tariff sheet is necessary under the terms of the agreement and allowing the tariff sheet to take effect on September 8, 2020, will avoid confusion for Raytown Water and its customers.

As discussed in the Commission's *Order Approving Unanimous Disposition Agreement*, Section 393.140(11), RSMo (2016), requires that a tariff change filing provide at least 30 days' notice to the Commission, unless the Commission, upon a showing of good cause, allows otherwise. In staff assisted rate cases, Commission Rule 20 CSR 4240-10.075(11)(B) requires a utility to submit to the Commission, within five business days of Staff's filing of a unanimous disposition agreement, new and/or revised tariff

sheets bearing an effective date not fewer than 30 days later. Such requirements may be waived for good cause.¹

Raytown Water's August 26, 2020 tariff filing is inconsistent with both the statute and the rule. Nonetheless, the Commission has reviewed the tariff filing and Staff's recommendation and concludes that despite the irregularities, it is appropriate to expedite review of the tariff sheet and approve the tariff sheet to take effect on September 8, 2020, in accordance with the Commission's order approving the agreement. The Commission finds good cause exists to approve the tariff sheet to go into effect without 30 days' notice required under Section 393.140(11) and to waive the requirements of 20 CSR 4240-10.075(11)(B). So that the tariff sheet will go into effect on the requested date, this order will be effective on September 8, 2020.

THE COMMISSION ORDERS THAT:

1. The 30-day notice requirement of Section 393.140(11) and the requirements of 20 CSR 4240-10.075(11)(B) are waived for good cause found, as described above.

2. The following revised tariff sheet, filed in this matter by Raytown Water and assigned Tariff No. YW-2021-0047, is approved, effective September 8, 2020:

P.S.C. MO No. 5

2nd Revised Sheet No. 10, Cancelling 1st Revised Sheet No. 10

¹ 20 CSR 4240-10.075(15).

3. This order shall be effective on September 8, 2020.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Jana C. Jacobs, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,
on the 28th of August, 2020.