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BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED

In the Matter of a Review )  
Of the Commission's Rules )  
Regarding Small Water and )  
Sewer Companies )

Case No. WW-2017-0283

JAN 03 2018

Missouri Public  
Service Commission

OFFICE OF PUBLIC COUNSEL'S AMENDED COMMENTS

ON COMMISSION RULES REGARDING RATE CASES FOR SMALL UTILITIES

COMES NOW, the Missouri Office of Public Counsel ("OPC"), by and through undersigned counsel, and files our amended comments for commission rules regarding rate cases for small utilities. In support thereof, OPC states as follows:

1. On April 27, 2017, the Public Service Commission ("Commission") filed a notice opening WW-2017-0283 in the matter of a review of the Commission's Rules Regarding Small Water and Sewer Companies. The purpose of the docket is to invite discussion among stakeholders of 4 CSR 240-3.050, which sets forth a procedural means of obtaining rate relief for small utilities.

2. On June 1, 2017, OPC submitted our first set of comments in WW-2017-0283.

3. The first set of comments is hereby incorporated in this amended set of comments as if set out in full herein.

4. On June 27, 2017, OPC attended a workshop discussion, and Staff of the Public Service Commission ("Staff") gave the attendees an opportunity to submit additional feedback by July 14, 2017.

3. OPC supports certain comments of stake holders. Specifically, OPC supports creating a process within 4 CSR 240-3.050 that would help create efficiencies in the discovery process. During the workshop, multiple stakeholders introduced concerns that OPC and Staff

Hearing Exhibit No. 2  
Date 12/21/17 Reporter RB  
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could do a better job in coordinating their audits and discovery requests to eliminate duplicative filings.

4. OPC proposes the following solution in consideration of the concerns raised at the workshop. Add a provision in section 8 of the proposed rule that would read:

*Staff shall provide notice and make available for review and duplication any and all responses to Staff's data requests to OPC submitted by the Company that are not already filed on the Commission's Electronic Filing Information System ("EFIS") within two business days of receipt.*

5. As articulated at the workshop, this proposal will serve to expedite the administrative review process. For a variety of reasons, small utilities sometimes fail to utilize EFIS in filing a response to Staff's data requests. OPC offers the proposed language to conserve resources and encourage sharing information in a timely matter as proposed. This problem is unique to small utility rate cases, as data request responses filed by regulated entities in general rate case proceedings are submitted through EFIS. Inclusion of the amended term will serve to create parity between rate case types with respect to the access to information, and will reduce the small utility's administrative burden by not having to provide duplicate responses to separate state entities.

**WHEREFORE**, OPC offers its amended comments for this Commission's consideration.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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**CERTIFICATE OF SERVICE**

On this 10<sup>th</sup> day of July, 2017, I hereby certify that a true and correct copy of the foregoing motion was submitted to all relevant parties by depositing this motion into the Commission's Electronic Filing Information System ("EFIS").

/s/ Ryan Smith