

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

Office Of the)
Public Counsel,)
an agency of the State of Missouri,)
COMPLAINANT)
)
V.)
)
Central Jefferson County Utilities, Inc.,)
a Missouri regulated water and sewer company)
and a corporation,)
RESPONDENT)

OFFICE OF THE PUBLIC COUNSEL’S COMPLAINT

The Office of the Public Counsel brings this Complaint pursuant to Section 386.330.2, RSMo 2000 and for its Complaint states:

1. The Office of the Public Counsel is an agency of the State of Missouri and pursuant to the statutory authority in Sections 386.700 and 386.710, RSMo. 2000 represents the public in all proceedings before the Public Service Commission and on appeal before the courts. The mailing and business address is Office of the Public Counsel, PO Box 2230, Governor Office Building, 200 Madison Street, Ste. 650, Jefferson City MO 65102. Public Counsel is authorized to file complaints against regulated utilities for the violation or claimed violation, of any provision of law, or of any rule or order or regulation, or decision of the commission, including the reasonableness of any rates or charges of any water or sewer corporation and any overearnings in excess of the earnings allowed and authorized by the Public Service Commission. Section 386.390 RSMo 2000 and 4 CSR 240-2.070.

2. Central Jefferson County Utilities, Inc. is a corporation regulated by the Missouri Public Service Commission under Chapter 386 and 393, RSMo 2000 to provide water and sewer service. The mailing and business address is 1519 McNutt Road, Herculaneum, MO 63048-1566

3. The Public Service Commission is a state administrative agency with the power and duty to regulate public utilities, including water and sewer companies under Chapters 386 and 393, RSMo. 2000 and has jurisdiction in this complaint case to hear and decide Public Counsel” allegation of unreasonable rates and overearnings. Section 386.250. (3) and (4), RSMo 2000; Section 393.140 relating to the general powers of commission with respect to gas, water, electricity and sewer services; Section 393.270, RSMo 2000 providing for notice and hearing and the fixing of prices for water and sewer service and improvements. This complaint if filed pursuant to Section 386.390.2 RSMo 2000, and the Commission’s rule regarding complaint cases, 4 CSR 240- 2.070(12). The mailing and business address is PO Box 360, Governor Office Building, 200 Madison Street, Jefferson City Mo 65102

COUNT I

ALLEGATIONS OF OVEREARNINGS FOR WATER SERVICE OPERATIONS.

4. Public Counsel restates the allegations set forth in paragraphs 1 through and including 4 of its Complaint.

5. Based on its information, knowledge and belief, Public Counsel states that Central Jefferson County Utilities, Inc’s current water rates and charges are unjust and unreasonable in that these rates and charges produce overearnings in an amount which

has not yet been made public which indicates earnings with a rate of return in excess of that authorized and allowed by the Commission. Public Counsel has filed concurrent with this Complaint a request that the Commission issue an order pursuant to Section 386.480, RSMo 2000 making the amount of the overearnings public. Public Counsel has reviewed Staff's Rate Design Schedule and ratemaking income statement as well as the related work papers and analysis.

COUNT II

ALLEGATIONS OF OVEREARNINGS FOR SEWER SERVICE OPERATIONS.

6. Public Counsel restates the allegations set forth in paragraphs 1 through and including 5 of its Complaint.

7. Based on its information, knowledge and belief, Public Counsel states that Central Jefferson County Utilities, Inc's current sewer rates and charges are unjust and unreasonable in that these rates and charges produce overearnings in an amount which has not yet been made public which indicates earnings with a rate of return in excess of that authorized and allowed by the Commission. Public Counsel has filed concurrent with this Complaint a request that the Commission issue an order pursuant to Section 386.480, RSMo 2000 making the amount of the overearnings public. Public Counsel has reviewed Staff's Rate Design Schedule and ratemaking income statement as well as the related work papers and analysis.

WHEREFORE, Public Counsel prays that:

- (1) the Commission issue an order to provide the statutory notice of the filing of this complaint and thereafter hold an evidentiary hearing on the complaint in accordance with the statutes and the Commission rules, and;
- (2) the Commission issue an order in favor of Public Counsel and against Central Jefferson County Utilities, Inc., on each Count of this Complaint, and;
- (3) the Commission make findings of fact accompanied by conclusions of law that Central Jefferson County Utilities, Inc.'s current water and sewer rates and charges are unjust and unreasonable in that these rates and charges produce overearnings reflecting a rate of return in excess of that allowed by the Commission; and;
- (4) the Commission issue an order directing Central Jefferson County Utilities, Inc. to file appropriate tariffs to reduce current rates and charges and to otherwise implement the Commission's decision in this complaint, and;
- (5) the Commission grant such further and additional relief as it deems appropriate and necessary.

Respectfully submitted,
OFFICE OF THE PUBLIC COUNSEL
/s/ **Michael F. Dandino**

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 28th day of July 2006:

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/s/ Michael F. Dandino
