

**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		

**MOTION FOR PUBLIC DISCLOSURE OF THE AMOUNT OF OVEREARNINGS**

The Office of the Public Counsel asks the Missouri Public Service Commission to issue an order pursuant to Section 386.480, RSMo 2000, designating as public information the estimated amount of over earnings by Central Jefferson County Utilities, Inc. in the provisioning of water and sewer service.

In support of this motion, Public Counsel states:

1. The Office of the Public Counsel has filed a complaint against the Central Jefferson County Utilities, Inc., alleging over earnings by the Company for both its water and sewer operations. As a result of the company initiating a small sewer company case as of December 13, 2005, the Staff conducted an audit and prepared a 10 year forward looking rate analysis. On or about April 28, 2006, Staff provided the Company and discussed with the Company the Staff's audit and rate analysis, including the Staff's revenue requirement calculations and the audit work papers. These documents included a Rate Design Schedule/ Rate

Making Income Statement for water and for sewer. These documents identify the amount of over earnings, the cost of service, and annualized revenues for each service for the test year December 31, 2005.

2. Out of an abundance of caution, in absence of a protective order and to avoid any inadvertent disclosure prohibited by Section 386.480, RSMo, Public Counsel did not identify in its Complaint the amount of the over earnings reflected in Staff's Rate Making Income Statement. Public Counsel's treatment of these amounts of over earnings is not an admission or recognition that these calculations of the over earnings are non-public information that may not be disclosed under Section 386.480, RSMO 2000 or as highly confidential or proprietary information as defined in the Commission's standard protective order.
3. These amounts of over earnings were a product of an analysis by the Staff, based on company specific information and other cost and rate making parameters. Disclosure of the final calculation of the analysis cannot reasonably be considered as information or documentation that is commercially sensitive or proprietary. Disclosure would not allow the public to identify the specific expenses and revenues or financial factors that result in the over earnings reported in the Staff's documents.
4. Disclosure of this information to the public will not cause harm to the Company.
5. This information is not subject to any exception from public disclosure under the Sunshine Law (Chapter 610, RSMo 2000).

6. Disclosure of the amount of over earnings as part of the Complaint case filed by Public Counsel is in the public interest and gives notice to ratepayers of the over earnings which could lead to a reduction in rates.

WHEREFORE, for these reasons, Public Counsel asks the Commission to issue an order declaring the amount of over earnings as public information.

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 28<sup>th</sup> day of July 2006:

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/s/ **Michael F. Dandino**

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