



Martha S. Hogerty  
Public Counsel

Mel Carnahan  
Governor

State of Missouri

**FILED**

MAR 10 2000

Missouri Public  
Service Commission

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March 9, 2000

Mr. Dale H. Roberts  
Secretary/Chief Regulatory Law Judge  
Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

~~RECEIVED~~  
~~MAR 10 2000~~  
~~Records~~  
~~Public Service Commission~~

SR-2000556

**RE: Osage Water Company  
Case No.  
Tariff No. 200000346 (sewer)**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case please find the original and fourteen copies of the Office of the Public Counsel's **Motion to Open a Formal Docket and Request for Early Local Public Hearings**. Please "file" stamp the extra enclosed copy and return it to this office.

Thank you for your attention to this matter.

Sincerely,

Shannon E. Cook  
Assistant Public Counsel

Enclosure

cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

RECEIVED<sup>3</sup>  
MAR 10 2000  
Records  
Public Service Commission

In The Matter of Osage Water Company's )  
Request for a Rate Increase for Water Service )  
Pursuant to the Public Service Commission's )  
Small Company Rate Increase Procedure. )

Case No. SR-2000-556  
Tariff No. 200000346  
(sewer)

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Service Commission

OFFICE OF THE PUBLIC COUNSEL'S MOTION TO OPEN A FORMAL  
DOCKET AND REQUEST FOR EARLY LOCAL PUBLIC HEARINGS

COMES NOW the Office of the Public Counsel (Public Counsel) and for its  
Motion to Open a Formal Docket and Request for Early Local Public Hearings herein  
states as follows:

1. By letter dated October 6, 1999, Osage Water Company (OWC) requested  
the initiation of a small company rate case, pursuant to the Public Service Commission's  
(Commission) small company rate increase procedure set forth in 4 CSR 240-2.200, in  
order to increase its rates for water and sewer service. In this filing, OWC requests an  
increase of 99.6% in its water revenues, and 121.86% in its sewer revenues.

2. Since the required customer notice (dated February 15, 2000) was sent  
out, Public Counsel has received no less than fifty phone calls and letters from different  
households voicing concerns about the proposed rate increase, and as of this date, Public  
Counsel is continuing to receive contacts from OWC customers on a daily basis claiming  
that their water or sewer service is unsafe or inadequate.

3. OWC's customers complain about OWC's water quality, water service,  
sewer service, effluent quality, sewer spillage into yards, homes and the Lake of the

Ozarks (both photographic and eyewitness evidence of which will be available), noncompliance with various environmental regulations, public health and safety issues, and many other miscellaneous customer service complaints, many of them raising complicated issues which must be resolved before Public Counsel could agree to any rate increase whatsoever for this company.

4. The Commission should be aware that the customers with complaints are not confined to one service area; rather, Public Counsel has received complaints from customers in most, if not all, of OWC's service areas (i.e., Cinnamon Ridge, Cinnamon Hollow, Chelsea Rose, Cedar Glen, Cimarron Bay, Shawnee Bend, Eagle Woods, Osage Beach, and Park Place Condominiums.) Public Counsel has reason to believe that Park Place Condominiums currently lies outside of OWC's certificated service area.

5. Public Counsel has also received one faxed petition, purporting to be signed by eighteen individuals who receive their water and/or sewer service from OWC, requesting that the Commission hold a local public hearing in Sunrise Beach regarding OWC's rate increase. This petition is attached hereto as Exhibit A.

6. Public Counsel acknowledges that local public hearings are not usually requested at this early stage in a small company rate case, but Public Counsel earnestly believes that *opening a formal docket at this time and holding early local public hearings* would promote a timelier and more efficient resolution of this rate case. Local public hearings would permit evidence regarding the service issues to be elicited, and the complaints to be investigated and addressed, at an earlier point in the process than they otherwise would be.

7. Early local public hearings would also allow OWC more time to respond to any service-related allegations prior to the 150-day time limit that 4 CSR 240-2.200(1)(G) anticipates for the small company rate increase procedure.

8. Because of the high percentage of the proposed increase, and the numerous customer inquiries received by Public Counsel regarding this matter, Public Counsel believes that the Commission should schedule at least one local public hearing in order to allow members of the public in OWC's various service areas an opportunity to testify concerning the rate increase and the quality of service presently being provided.

9. In order to ensure that the public has adequate notice of the requested local public hearings, Public Counsel suggests that the Commission order the following:

a. Notice of the time, date and location of the local hearing, along with information regarding the amount of the proposed rate increase and the approximate percentage of the proposed increase, should be given to each affected customer, either by an imprint on the customer's monthly billing or a bill insert, or a separate mailing not more than 45 days or less than ten days prior to the date of the public hearing. Additionally, Public Counsel requests that the Commission order that the following information be included somewhere within the individual customer notices:

**Office of the Public Counsel**  
**Attn: Shannon Cook**  
**P.O. Box 7800**  
**Jefferson City, MO 65102**  
**Phone: 573/751-1304**  
**Fax: 573/751-5562**  
**e-mail: [mopco@mail.state.mo.us](mailto:mopco@mail.state.mo.us)**

**Public Service Commission**  
**Attn: Water & Sewer Department**  
**P.O. Box 360**  
**Jefferson City, MO 65102**  
**Phone: 573/751-3437 or**  
**800/392-4211**  
**Fax: 573/751-1847**

b. The newspapers in the relevant service areas, as listed in the current *Official Manual of the State of Missouri*, should be notified of the proposed increase as well as the date, time and location of the public hearing, not less than ten days before the date scheduled for the hearing, and should be requested to publish such notice seven and three days before the hearing in each newspaper's area;

c. Similar notice should be given to any radio and television stations in each area, not less than three days before the public hearing.

**WHEREFORE**, Public Counsel requests that the Commission issue its Order opening a formal docket for this small company rate case, scheduling at least one local public hearing, as soon as one may be practicable, in the service area(s) of Osage Water Company, providing adequate notice to the public as requested herein, and for such other and further orders as the Commission deems necessary under the circumstances.

Respectfully submitted,

**OFFICE OF THE PUBLIC COUNSEL**



Shannon Cook #50169  
Assistant Public Counsel  
301 East High Street, P.O. Box 7800  
Jefferson City, MO 65102-7800  
Telephone: (573) 751-1304  
Facsimile: (573) 751-5562

I am a customer of Osage Water Company and am at least 18 years old. It is my understanding that Osage Water is requesting a rate increase which would double my water rates and more than double my sewer rates. I am OPPOSED to any such rate increase and request that the Public Service Commission hold a local public hearing in Sunrise Beach prior to ruling on this matter.

NAME(print)	NAME(signature)	ADDRESS	Phone
Leslie McCaffrey	Leslie McCaffrey	Rt. 2 Box 243-G Sunrise Beach MO 65079	573-374-0788
Michael McCaffrey	Michael McCaffrey	Rt 2 Box 243-G Sunrise Beach, MO 65079	573-374-0788
Ellen Moore	Ellen Moore	Rt 2 Box 270-1 Sunrise Beach, MO 65079	573-374-0726
C.O. Moore	C.O. Moore	Rt 2 Box 270-1 Sunrise Beach, MO 65079	573-374-0726
Lera Wilson	Lera Wilson	R.R. 2 - Box 262-J Sunrise Beach, Mo. 65079	573-374-5813
Shirley Evans	Shirley Evans	RR 2 Box 269 Sunrise Beach, MO 65079	913-915-3265
Jerry Evans	Jerry Evans	RR 2 Box 269 Sunrise Beach, MO 65079	913-915-3265
Cindy Burnett	Cindy Burnett	Rt 2 Box 266 Sunrise Beach, MO 65079	573-374-1237
Bruce Burnett	Bruce Burnett	Rt 2 Box 266 Sunrise Beach, MO 65079	573-374-1232
James Underman	James Underman	RD Box 268 Sunrise Beach, MO 65079	573-374-3031
Lennie Parr	Lennie Parr	RR 2 Box 270 Sunrise Beach, MO 65079	573-374-3172
Gordon Sapp	Gordon Sapp	RR 2 Box 270 Sunrise Beach, MO 65079	573-374-3172
Robert W. Hufker	Robert W. Hufker	1603 SHADWELL DR STANIS MO 63012	636-467-6916
William L. Siefkas	William L. Siefkas	P.O. Box 967 Sunrise Beach, MO 65079	573-374-1416
Anna Green	Anna Green	P.O. Box 1171 Sunrise Beach, MO 65079	573-374-1416

Jana Siefkas  
 Tom Turner  
 P.O. Box 967 Sunrise Beach, MO 65079 573-374-1416  
 P.O. Box 3155 CAMDEN, MO 65020 573-374-3155

**Certificate of Service**

The undersigned hereby certifies that a true copy of the foregoing has been mailed, hand-delivered or faxed to all counsel of record as shown on the service list below on this date, March 9, 2000.

Shannon Cook

**Service List for**

**Case No.** \_\_\_\_\_

**Tariff No. 200000346 (sewer)**

General Counsel  
Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102-0360

Gregory D. Williams  
Osage Water Company  
P.O. Box 777  
Camdenton, MO 65020