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

In the Matter of Spokane Highlands Water)
Company's Motion to Accept Late-filed)
Annual Reports) Case No. WE-2000-804

ORDER REQUIRING FILING

Pursuant to Missouri Public Service Commission (Commission) Rule 4 CSR 240-10.080, "[a]ll public utilities subject to the jurisdiction of the Missouri Public Service Commission shall file an annual report with the commission on or before April 15 of each year." On June 7, 2000, Spokane Highlands Water Company (Spokane) filed a motion with the Commission to accept its late-filed annual report. Attached to the motion was its annual report for the year 1999.

Spokane stated in its motion that it "...moves the Commission to accept the late filing of its 1999 annual reports (*sic*).". Spokane stated the reason for the late filing was that the "...reports (*sic*) were prepared and inadvertently not filed."

Commission Rule 4 CSR 240-2.080(3) states, in part: "Each pleading shall include a...specific reference to the statutory provision or other authority under which relief is requested." Spokane's motion did not comply with Commission Rule 4 CSR 240-2.080(3) in that it did not include a specific reference to the statutory provision or other authority under which relief was requested.

Spokane will be ordered to file a supplemental pleading curing this deficiency.

In case number WO-2000-382, on December 23, 1999, Spokane filed a motion to accept its late-filed annual report. Attached to the motion was its annual report for the year 1998. Spokane stated in its motion that the "...reports (*sic*) were prepared and inadvertently not filed." Spokane was granted a waiver of the annual report deadline requirement of Commission Rule 4 CSR 40-10.080 on January 13, 2000. In that order, the Commission cautioned Spokane that its motion did not contain a particularly good explanation of what Spokane believed excused the late filing of its annual report. However, the Commission in that order accepted the report and allowed it to be filed late. Spokane was admonished by the Commission that, in the future, it should strive to meet known and required deadlines.

Spokane obviously learned nothing from its earlier experience. Spokane has given the same excuse in this case as it did in its previous case, even though the Commission in the previous case admonished Spokane to be more vigilant in the future. The reason offered for Spokane's late filing in this case will not be accepted.

Commission Rule 4 CSR 240-10.080(8) states, in part: "A utility which is unable to meet the filing date...shall make a written request to extend the filing date for its annual report...and state the reason for the extension request." Spokane's motion did not comply with Commission Rule 4 CSR 240-10.080(8) in that it did not include a reason for the extension request.

Spokane will be ordered to file a supplemental pleading correcting this deficiency also.

IT IS THEREFORE ORDERED:

1. That Spokane Highlands Water Company shall file, no later than 3:00 p.m. on June 29, 2000, a supplemental pleading which includes a specific reference to the statutory provision or other authority under which it requested relief in its motion to late-file its annual report which was filed on June 7, 2000.

2. That Spokane Highlands Water Company shall file, no later than 3:00 p.m. on June 29, 2000, a supplemental pleading which includes a reason for the extension request made in its motion to late-file its annual report which was filed on June 7, 2000.

3. That this order shall become effective on June 19, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant
to 4 CSR 240-2.120(1) (November 30,
1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 9th day of June, 2000.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION