

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

In the Matter of WPC Sewer Company's)	<u>File No. SR-2008-0388</u>
Small Company Rate Increase)	Tariff No. YS-2009-0334

CONCURRING OPINION OF COMMISSIONERS
CONNIE MURRAY & KEVIN GUNN

Although we concur with the majority, we write separately to express our concern with the small company rate case process in this instance.

The minority expressed concern in regard to their perceived undervaluation of various items within the cost of service calculations used to arrive at the Unanimous Disposition Agreement and issues regarding the small company rate case process in general. To address this concern, the minority sought to have an on-the-record hearing.

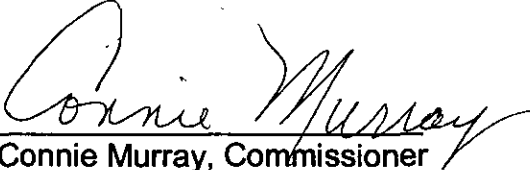
We appreciate the minorities' concern and desire to have a hearing; however, to move forward with an on-the-record hearing at this time, the commission would have to ignore the parties' desire to resolve this case with the Unanimous Disposition Agreement. Further, a hearing would require the company to expend already limited financial resources to retain counsel, an action the small company rate case process is designed to avoid.

The parties to this case have arrived at a Unanimous Disposition Agreement and the commission was correct in accepting it. However, this case has again brought to light the difficult issues surrounding the regulation of small water and sewer companies. We urge the commission to immediately create a working docket to allow any party interested in the small company rate case process to come to the table and

find workable alternatives to the traditional methods of regulating and financing small water and sewer companies.

For the foregoing reasons, we concur in the Report and Order.

Respectfully submitted,


Connie Murray, Commissioner


Kevin Gunn, Commissioner

Dated at Jefferson City, Missouri
on this 4th day of March 2009.