

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

In the Matter of the Small Company)
Rate Increase of Timber Creek Sewer) Case No. SR-2010-0320
Company)

**MOTION FOR LEAVE TO LATE FILE
TIMBER CREEK'S PROPOSED FINDINGS OF FACTS
AND CONCLUSIONS OF LAW ON CONTESTED ISSUES**

COMES NOW Timber Creek Sewer Company ("Timber Creek"), by its attorney, Jeremiah D. Finnegan, and respectfully seeks leave to late file its Proposed Findings of Fact and Conclusions of Law on the Contested Issues to the Missouri Public Service Commission ("Commission"):

1. It came to counsel's attention on Monday February 7th upon opening the filing by Staff Counsel of Staff's Proposed Findings of Fact and Conclusions of Law, that Proposed Findings of Fact and Conclusions of Law were due on February 4, 2011, the same date that Post Hearing Briefs were due.

2. That while Counsel was fortunate to file Timber Creek's Brief in a timely manner despite weather conditions keeping Counsel from making it into his office a couple of days last week, it was necessary due to the lost work days the week before for Counsel to complete work on other matters on February 7th and 8th to keep from missing deadlines in such other matters and he could not find the necessary time until late in the day on February 8th and on February 9th to research and prepare Timber Creek's Proposed Findings and Conclusions.

3. That the filing of Proposed Findings and Conclusions is the last scheduled activity for the parties in this case until the Report and Order is issued so no party would have been entitled to respond further to the filing of the Proposed Findings and Conclusions. Further, these Proposed Findings and Conclusions come as no surprise to any party since they follow and adhere to the positions set forth in the Company's Brief. Accordingly, Counsel is of the belief that no prejudice to any party can result from permitting this filing and this filing will merely assist the Commission and the Regulatory Law Judge in the preparation of the Report and Order in this case.

4. Timber Creek's Proposed Findings of Fact and Conclusions of Law is attached and is tendered for filing instant.

WHEREFORE, good cause having been shown to permit this late filing, Timber Creek prays the Order of the Commission permitting such filing.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.,

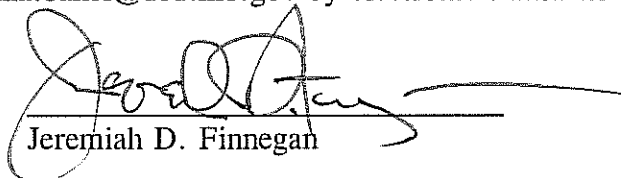
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ATTORNEYS FOR TIMBER CREEK
SEWER COMPANY

Certificate of Service

I hereby certify that on this 9th day of February, 2011, I electronically filed the foregoing document with the Commission and further caused a copy of the same to be sent to Staff Counsel Jaime N. Ott at jaime.ott@psc.mo.gov and Christina L. Baker of the Office of Public Counsel at christina.baker@ded.mo.gov by electronic transmission.


Jeremiah D. Finnegan