

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

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

**STAFF’S RESPONSE TO TIMBER CREEK SEWER COMPANY’S LATE-FILED
EXHIBIT REGARDING ADDITIONAL RATE CASE EXPENSE**

COMES NOW, the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its Response to Timber Creek Sewer Company’s (Timber Creek) Late-Filed Exhibit Regarding Additional Rate Case Expense submitted to the Commission on February 25, 2011, states the following:

1. Staff witness, V. William Harris, reviewed the invoice of Finnegan, Conrad, & Peterson, LC, for legal services provided to Timber Creek, specifically relating to the briefing of this matter, from February 1, 2011 through February 25, 2011. Mr. Harris determined those expenses were reasonable and prudently incurred costs related to rate case expense. (See attached Affidavit of V. William Harris). Staff does not object to the inclusion of the costs associated with briefing this matter in rate case expense.

2. Staff does not believe a separate mailing is necessary at this time; therefore postage cost associated with a separate mailing is not necessary. On October 7, 2010, this matter became a contested case under 4 CSR 240-3.050(21). The treatment at that point should remain consistent with general rate case procedures, in which the utility does not send a separate notice to customers upon the issuance of a Commission Report and Order and the filing of compliance tariffs at the conclusion of the case. Still, if practicable, the Company could include a line on the customers’ bill notifying them of

the rate change and directing them to the Commission's website to locate Timber Creek's tariff instead of incurring the cost of mailing a separate notice to its customers.

WHEREFORE, Staff submits its Response to Timber Creek's Late Filed Exhibit Regarding Rate Case Expense to the Commission.

Respectfully submitted,

/s/ Jaime N. Ott
Jaime N. Ott
Associate Staff Counsel
Missouri Bar No. 60949

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-8700 (Telephone)
(573) 751-9285 (Fax)
jaime.ott@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 4th day of March, 2011.

/s/ Jaime N. Ott

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of)
Timber Creek Sewer Company Request)
for a Rate Increase.)

Case No. SR-2010-0320

AFFIDAVIT OF V. WILLIAM HARRIS

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

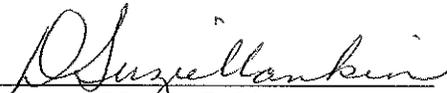
V. William Harris, of lawful age, on his oath states: that he analyzed and reviewed invoices, submitted to the Staff of the Missouri Public Service Commission by the Timber Creek Sewer Company, that reflect rate case expenditures incurred between February 1, 2011 through February 25, 2011; that he determined the invoice attached hereto represents actual, reasonable, appropriate, and prudent rate case expenses through February 25, 2011; and that such matters are true and correct to the best of his knowledge and belief.



V. William Harris

Subscribed and sworn to before me this 2nd day of March, 2011.

D. SUZIE MANKIN
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: December 08, 2012
Commission Number: 08412071



Notary Public

FINNEGAN, CONRAD & PETERSON, L.C.
ATTORNEYS AND COUNSELORS AT LAW

1209 PENNTOWER OFFICE CENTER
3100 BROADWAY
KANSAS CITY, MO 64111

(816) 753-1122
TELECOPIER (816) 756-0373

STATEMENT FOR SERVICES

TAX ID NO. 43-1741719

February 25, 2011

Attn: Derek Sherry
Timber Creek Sewer Company
P.O. Box 511
Platte City, MO 64079

Statement No. 230824
Client-Matter: 858.004

Page: 1

RE: Informal Rate Case

DRAFT

For Professional Services Rendered

		Hours
02/01/2011	JDF Review of testimony, exhibits and transcript in preparation for Brief.	2.30
02/02/2011	JDF Research and preparation of Brief; telephone conference with Derek Sherry regarding fees and expenses; provide the data.	3.30
02/03/2011	JDF Research and preparation of Brief; e-mail to Jaime Ott with statement for January.	4.50
02/04/2011	JDF Research and preparation of Brief; revision of Brief; e-mail from Jaime Ott with late filed exhibit; put Brief in final format; file Brief and serve electronically.	6.20
02/07/2011	JDF Receive and review of Office of Public Counsel's Brief; receive and review of Staff's Brief and Findings of Fact/Conclusions.	0.80
02/08/2011	JDF Preparation and revision of Proposed Statement of Facts and Conclusions of Law.	2.60
02/09/2011	JDF Preparation of and revision of Proposed Statement of Facts and Conclusions of Law; telephone conference with Derek Sherry; preparation of Motion for Leave to Late File Proposed Statement and Conclusions; put in final format and file on EFIS.	4.20

Informal Rate Case

		Hours
02/23/2011	JDF Receive and review of e-mail from David Woodsmall regarding action at Commission Agenda Meeting on Timber Creek case; e-mail to Derek Sherry; e-mail to David Woodsmall; e-mail from Derek; receive and review of Notice of Orders; research on EFIS for Order.	0.50
02/24/2011	JDF Research; preparation of Late Filed Exhibit; e-mail to Jaime Ott regarding late filing of exhibits on rate case expense.	1.50
02/25/2011	JDF Receive and review of e-mail from Jaime Ott; telephone conference with Derek Sherry; revision of late filed exhibit; telephone conference with Derek Sherry; e-mail to Jaime Ott; filing on EFIS and copy to parties.	1.80
Total for Professional Services		27.70 <u>5,540.00</u>

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Jeremiah D. Finnegan	27.70	\$200.00	\$5,540.00

Previous Balance	\$7,899.73
Total Current Work	5,540.00

Payments

02/17/2011	Regular payment received.	-7,899.73
	Balance Due	<u>\$5,540.00</u>

We appreciate the opportunity to be of service and thank you for your business. Please call if you have any questions about any items on this statement.