

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

In the Matter of Lake Region Water & Sewer)	<u>File No. SR-2010-0110</u>
Company's Application to Implement a General)	Tariff No. YS-2010-0250
Rate Increase in Water and Sewer Service)	

In the Matter of Lake Region Water & Sewer)	<u>File No. WR-2010-0111</u>
Company's Application to Implement a General)	Tariff No. YW-2010-0251
Rate Increase in Water and Sewer Service)	

NOTICE OF EXTRA-RECORD/EX PARTE COMMUNICATION

Issue Date: August 27, 2010

After posting the original contact by Mr. Becker, the Regulatory Law Judge in these matters received an additional e-mail from Mr. Mike Becker. The entire chain of e-mails will be attached to this notice as a pdf file.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Harold Stearley, Senior Regulatory Law Judge

From: Mike Becker [mrb1913@gmail.com]
Sent: Friday, August 27, 2010 12:18 PM
To: Stearley, Harold
Cc: Mike Becker
Subject: Re: question regarding Lake Region case [SPVG1.FID271561]

Judge Stearley,

Thank you.....and with due respect..... to address the 'involved parties' or staff, or office of public counsel, or the water company....still leaves the issue subject to interpretation.

It is unfortunate that the law is such, that a clear explanation of an order cannot be given by those who write the order. Especially when they are in a capacity for public service. Seems like that would cause no harm-no foul. Any other analysis, interpretation, meaning, perception, reading etc by others are, at best, opinion. It should not be this hard for a citizen who is striving to understand a public outcome in a public matter. Perhaps I should be able to immediately comprehend the answer but I cannot. The meaning may be quite clear but I am not capable of understanding it. Maybe it is not that esoteric to those who frequently deal with such matters....but there are others who have read the order who also come to different conclusions. So some confusion exists.

regards
Mike Becker

On Fri, Aug 27, 2010 at 11:13 AM, Stearley, Harold <harold.stearley@psc.mo.gov> wrote:
Good Morning Mr. Becker,

I appreciate your interest in these matters, but pursuant to the Commission's Standard of Conduct Rules I am unable to respond to your inquiry. I will be posting a formal notice of this communication in the case files and attaching a copy of these e-mails to that notice.

You may be able to address your inquiry to one of the parties to this action, but not to the Commissioners, the Presiding Officer, or the technical advisory staff of the Commissioners.

Sincerely, Judge Stearley

From: Mike Becker [mrb1913@gmail.com]
Sent: Friday, August 27, 2010 10:34 AM
To: Stearley, Harold
Cc: Mike Becker
Subject: question regarding Lake Region case [SPVG1.FID271561]

Judge Stearley,

I do not know whether you can answer my question directly but I thought no harm in asking.

My name is Mike Becker. I am a Porto Cima resident and am on the board of directors of the Four Seasons Lakesites property owners association. However I am asking for this answer as an interested citizen.

I testified at the public hearing in Osage Beach regarding the above case...regarding availability. I also attended several days of sessions in Jeff city.

I read the order that was issued in the Lake Region case but am unsure as to a point. I am trying to determine whether or not the PSC, as a result of this case, maintains the is DOES or DOES not currently have jurisdiction over availability fees...either in this case or in all cases.

Several of us who have read the order have differing opinions...and we do not wish to cause confusion.

The way that I interpret the order is that the PSC says it does NOT currently have jurisdiction by fiat in this case. It WILL enter into a rule making process in the future to determine whether it will issue rules regarding availability and Lake Region will need to come back for rates on three years.....but I do not see the PSC as clearly stating that it has current jurisdiction regarding availability.

You may not be able to answer this because of future litigation , but if you can, I would appreciate a simple yes or no.

thank you

Mike Becker