

**OF THE STATE OF MISSOURI**

) **Case No. WE-2007-0412**  
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)

## ORDER DIRECTING FILING

Effective Date: May 3, 2007

On April 20, 2007,<sup>1</sup> U.S. Water Company (“USW”), by and through its attorney, filed an application requesting that the Missouri Public Service Commission extend the time within which it may file its 2006 annual report respecting its regulated water operations to June 15. On April 24, the Commission issued a Notice of Deficiency, which identified the pleading’s most significant omissions and procedural deficiencies and stated that they had to be corrected before the Commission would take any further action on or give any further consideration to USW’s request. In response to the Notice of Deficiency, USW filed a revised “Request for Extension of Time” on April 30, which remedied the vast majority of the problems with USW’s original pleading.<sup>2</sup>

Commission Rule 4 CSR 240-3.640(7) states:

A water utility that is unable to meet the submission date established in section (1) of this rule may request an extension of greater than thirty (30) days for submitting its annual report by:

<sup>1</sup> All dates specified in this order refer to the year 2007.

<sup>2</sup> Also on April 30, USW requested leave to file its application out of time, which the Commission granted by order dated May 3. USW's revised application of April 30 is now the subject of this case.

- (A) Filing a pleading, in compliance with the requirements of Chapter 2 of 4 CSR 240, which states the reason for and the length of the extension being requested, with the commission prior to April 15; and
- (B) Certifying that a copy of the pleading was sent to all parties of record in pending cases before the commission where the utility's activities are the primary focus of the proceedings.

The Commission would be aided by a recommendation from its Staff as to whether the extension should be granted and under what conditions, if any.<sup>3</sup> Therefore, the Commission will order Staff to file a recommendation in this case by no later than May 10, 2007.

**IT IS ORDERED THAT:**

1. Staff shall prepare and file, by no later than May 10, 2007, a recommendation regarding U.S. Water Company's April 30, 2007 application to extend the time within which it may file its 2006 annual report respecting its regulated water operations to June 15, 2007.
2. This order shall become effective on May 3, 2007.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Benjamin H. Lane, Regulatory Law  
Judge, by delegation of authority  
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 3rd day of May, 2007.

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<sup>3</sup> Any water utility that does not timely file its annual report is subject to a penalty of \$100, as well as an additional penalty of \$100 for each day the utility is late in filing the report. See 4 CSR 240-3.640(9); Section 393.140(6), RSMo 2000. USW has agreed to pay the initial penalty of \$100 but requests a waiver and relief from any additional penalties.