

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

In the Matter of a Working Case to)
Investigate solutions to Problems Facing)
Small Water and Sewer Public Utilities.)

File No. WW-2009-0386

STAFF'S MOTION TO CLOSE CASE

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and submits this *Motion to Close Case* to the Missouri Public Service Commission (Commission) stating the following in support thereof:

1. On May 1, 2009, the Commission issued a *Notice Creating Working Case* to, among other things, "serve as a repository for documents and comments regarding the problems facing small water and sewer public utilities".

2. At various times in 2009 and 2010, Staff conducted meetings with interested parties to discuss these problems. Participants to these meetings included Staff, the Office of the Public Counsel (Public Counsel), the Department of Natural Resources, Missouri-American Water Company (MAWC), various small water and sewer companies, and other interested parties. It was helpful to have these parties involved in a focused communication to discuss some of the issues that impact small water and sewer companies from each perspective represented at the meetings. Those meetings have ceased at this time.

3. After this case was opened, the Commission received a few comments from some small water and sewer companies; and from July 2010 to August 2010, MAWC, Timber Creek Sewer Company, Staff and Public Counsel filed information in various forms regarding the Commission's Annual Assessment. Since that time, no substantive actions have been taken in this matter.

4. On August 23, 2010, the Commission issued its *Order Directing Notice of Working Case and Directing Filing* to explore all proper options for ratemaking treatment of certain revenues and to ultimately formalize a proper policy in a subsequent rulemaking. That working case was assigned File Numbers WW-2011-0043 and SW-2011-0042.

5. On June 16, 2011, the Commission issued an *Order Consolidating Investigations* that consolidated this case with File Numbers WW-2011-0043 and SW-2011-0042 and closed File Numbers WW-2011-0043 and SW-2011-0042, mentioned above.

6. The last filing made by any party to this case was on December 30, 2011, wherein Staff filed its *2011 Status Update*, requested that the matter remain open, and sought permission to file a yearly status update for 2012 by the first working day of 2013. On January 3, 2012, the Commission granted Staff's request.

7. To date, this case has been substantively inactive most of 2011 and 2012, with the only 2012 activities relating to Notice of Communications, Extra-Record Communications and the recent tour of Missouri-American Water Company in St. Louis, Missouri.

8. Staff asserts that problems remain for small water and sewer companies. While many of those problems are common within the industry, each individual water and sewer company presents its own unique situation and solutions are easier to reach by focusing on the individual company. Therefore, Staff states that, at this time, those problems are better addressed in the context of a company's rate case or other

company-specific filing with the Commission, as opposed to maintaining an open workshop that is not active or productive to address those problems.

9. Staff hereby requests that this case, WW-2009-0386, be closed at this time and removed from the Commission's docket. In the future, if necessary or appropriate, another docket could be opened to facilitate discussions and ideas regarding industry-wide concerns.

10. Staff has not discussed this request with any other party but, given the inactivity from other participants, Staff does not anticipate objections to be filed. It would be beneficial for the other parties to be given the full ten (10) days set out in Commission Rule 4 CSR 240-2.080 (13) to respond to this filing before an order is issued in response to this *Motion to Close Case File*.

WHEREFORE Staff respectfully submits this *Motion to Close Case* for the Commission's information and consideration and requests that WW-2009-0386 be closed and removed from the Commission's docket.

Respectfully submitted,

/s/ Rachel M. Lewis

Rachel M. Lewis
Deputy Counsel
Missouri Bar No. 56073

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 526-6715 (Telephone)
(573) 751-9285 (Fax)
rachel.lewis@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or by electronic mail to all counsel of record on this 1st day of November, 2012.

/s/ Rachel M. Lewis