

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

In the Matter of the Request of Rex Deffenderfer        )  
Enterprises, Inc. for Extension of the Date of Filing of    )  
the Annual Report    ) **Case No. WE-2007-0358**

**ORDER GRANTING EXTENSION OF TIME TO FILE ANNUAL REPORT**

Issue Date: April 16, 2007

Effective Date: April 16, 2007

On March 28, 2007, the Missouri Public Service Commission received a one-page letter from LaVada Cottrill on behalf of Rex Deffenderfer Enterprises, Inc. ("RDE") requesting that the Commission extend the due date for RDE's 2006 annual report regarding its water utility operations by sixty days. On March 30, 2007, the Commission issued a Notice of Deficiency advising Ms. Cottrill that the letter lacked certain information required by the Commission's rules, did not comply with the Commission's rules governing who may file pleadings before the Commission, and was not served on the Commission's Staff and the Office of the Public Counsel. The Commission also notified Ms. Cottrill that those deficiencies would all have to be corrected before the Commission would take any further action on or give any further consideration to her request.

The deficiencies were all corrected on April 13, 2007, when RDE, by and through its attorney, filed a proper pleading requesting that the Missouri Public Service Commission extend the time within which RDE may file its 2006 annual report respecting its regulated water utility operations for sixty additional days beyond April 15, 2007.

Except as otherwise provided, Commission Rule 4 CSR 240-3.640(1) requires all water utilities to “submit an annual report to the commission on or before April 15 of each year.” However, Section 393.140(6) authorizes the Commission to “extend the time prescribed for cause shown.”<sup>1</sup> Accordingly, 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:

- (A) Filing a pleading, in compliance with the requirements of Chapter 2 of 4 CSR 240,<sup>2</sup> 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 notes that RDE’s revised submission meets all of these requirements, and that the relief it requests is reasonable under the circumstances set forth therein. Therefore, the Commission will grant RDE’s request for an extension of the time within which it may file its 2006 annual report to June 14, 2007.

**IT IS ORDERED THAT:**

1. Rex Deffenderfer Enterprises, Inc.’s request for an extension of the time within which it may file its 2006 annual report respecting its regulated water utility operations to June 14, 2007 is granted.

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<sup>1</sup> All statutory citations are to RSMo 2000.

<sup>2</sup> The requirements for filing applications for waivers or variances from Commission rules and tariff provisions, as well as those statutory provisions that may be waived, are contained in 4 CSR 240-2.060(4)(A)-(C). See 4 CSR 240-3.015(1).

2. This order shall become effective on April 16, 2007.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

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 16th day of April, 2007.