

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

In the Matter of Roy-L Utilities, Inc. Small     )  
Company Rate Increase.                             )     Case No. **WR-2008-0304**

**MOTION TO MODIFY ORDER APPROVING DISPOSITION AGREEMENT**

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff"), by and through the undersigned counsel, and for its Motion states the following:

1. On April 30, 2008, the Commission issued its *Order Approving Unanimous Agreement Regarding Disposition of Small Company Rate Increase Request and Approving Tariff* ("Order").

2. Along with approving the Unanimous Agreement Regarding Disposition of Small Company Rate Increase Request ("Unanimous Agreement"), this Order stated that the parties shall comply with the Unanimous Agreement. *See* Order at 2.

3. Condition (7) within the Unanimous Agreement states: "(7) That the Company will install a master meter on the well by September 30, 2008, read the master meter daily and record the meter reading on a meter reading log kept in the well house."

4. Staff reports to the Commission that the Company did not meet the September 30, 2008 date for installation of a master meter on the water system. In July 2008, the Company spent \$2,861 for an unexpected repair to the water pumping system, which was then reported to Staff. This unexpected repair used all available cash, therefore the Company could not purchase the master meter or schedule its installation at that time. The Company has since purchased a master meter (January 2009) and is waiting for the contractor to perform the necessary installation, no later than April 20, 2009.

5. Staff believes that the unexpected repair in July 2008, using all available cash that was budgeted for the purchase of a master meter, followed by the purchase of a master meter in January 2009 when funds became available is good cause for modification of condition (7).

6. Staff notes that when the master meter is installed, the Company has a procedure in place to log readings in accordance with the Agreement.

7. The Company will notify Staff when the meter is installed. Staff would then notify the Commission of the installation of the master meter.

8. The Company reviewed this motion and supports this request for modification.

9. Therefore, Staff requests the Commission modify its *Order Approving Unanimous Agreement Regarding Disposition of Small Company Rate Increase Request and Approving Tariff* by allowing installation of the master meter by May 1, 2009.

**WHEREFORE**, Staff respectfully requests the Commission grant Staff's request for modification of term (7) to allow for installation of a master meter on the well by May 1, 2009, of the Unanimous Agreement Regarding Disposition of Small Water Company Revenue Increase Request; and order the term (7) modification approved.

Respectfully Submitted,

/s/ Shelley Syler Brueggemann

Shelley Syler Brueggemann

Missouri Bar No. 52173

Attorney for the Staff of the  
Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 526-7393 (Telephone)

(573) 751-9285 (Fax)

[shelley.brueggemann@psc.mo.gov](mailto:shelley.brueggemann@psc.mo.gov) (e-mail)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this Recommendation has been provided, either by first-class mail, by electronic mail, by facsimile transmission or by hand-delivery, to each attorney and/or party of record for this case on this 25<sup>th</sup> day of March 2009.

**/s/ Shelley Syler Brueggemann**