

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

In the Matter of Roy-L Utilities Request for an)
Increase in Water System Operating Revenue) **Case No. WR-2013-0543**

In the Matter of Roy-L Utilities Request for an)
Increase in Sewer System Operating Revenue) **Case No. SR-2013-0544**

**STAFF’S MOTION TO AMEND THE NOTICE OF UNANIMOUS AGREEMENT,
RECOMMENDATION TO APPROVE TARIFFS AND
MOTION FOR EXPEDITED TREATMENT**

COMES NOW Staff of the Missouri Public Service Commission, by and through the undersigned counsel, and for its motions and recommendation hereby state the following:

1. On May 9, 2014,¹ Staff filed its *Notice of Unanimous Agreement Regarding Disposition of Small Water & Sewer Company Revenue Increase Request* (“*Unanimous Agreement Notice*”).

2. The *Unanimous Agreement Notice* correctly stated the requirements contained within the Commission’s Rule 4 CSR 240-3.050 (13). However, it inadvertently misstated Roy-L should file its tariff and substitute tariff sheets with an effective date of thirty (30) days from May 12 to implement the terms of the *Unanimous Agreement Regarding Disposition of Small Water & Sewer Company Revenue Increase Request* (“*Unanimous Agreement*”) between Roy-L Utilities (“Roy-L”), Staff, and the Office of the Public Counsel (“OPC”). The *Unanimous Agreement Notice* also inadvertently omitted a request for the Commission to give expedited treatment to its consideration of the *Unanimous Agreement* and tariffs, including substitute tariff sheets, assigned tracking numbers YW-2014-0401 and YS-2014-0402.

¹ Unless otherwise specified, all dates refer to calendar year 2014.

3. On May 12, Roy-L substituted the rate schedules P.S.C. MO No. 3 Original Sheet No. 4 and P.S.C. MO No. 4 Original Sheet No. 4, filed as part of its April 7 tariffs and assigned tracking numbers YW-2014-0401 and YS-2014-0402, respectively. The tariffs and substitute tariff sheets bear an effective date of May 23 to implement the agreed-upon terms within the *Unanimous Agreement*.

4. On May 13, the Commission issued its Order directing Staff to file its recommendation on Roy-L's substitute tariff sheets and whether the tariff sheets are in compliance with the terms of the *Unanimous Agreement* between the parties.

5. Staff has completed its review of the tariffs and substitute tariff sheets assigned tracking numbers YW-2014-0401 and YS-2014-0402. Attached is the affidavit of James Russo to affirm that the tariffs and substitute tariff sheets are in compliance with, and designed to, implement the agreed-upon terms within the *Unanimous Agreement*. As such, Staff recommends the Commission approve the *Unanimous Agreement*, tariffs, and substitute tariff sheets on an expedited basis, but by order effective no later than May 22.

MOTION FOR EXPEDITED TREATMENT

6. Commission Rule 4 CSR 240-2.080 (14) requires a motion for expedited treatment contain such words in the title of the pleading so it can be easily identified, include the date by which the party requests the Commission act, the harm avoided by an expedited decision and an explanation as to the timeliness of the request.

7. The Commission approved Roy-L's last rate increase with the tariffs effective May 5, 2008. The *Unanimous Agreement*, tariffs and substitute tariff sheets are designed to increase the water and sewer utilities' revenue requirement to an

agreed upon level, allowing Roy-L to bill customers at the specified higher rates. Many customers of Roy-L are seasonal customers, with peak usage beginning over the upcoming Memorial Day holiday weekend.

8. Staff understands that it is critical for Roy-L to begin billing the increased tariff sheets rates, not only for the utilities' opportunity to collect the agreed upon revenue requirements by the rate design of the *Unanimous Agreement*, but to collect enough revenues to avoid default in payments on the utilities' loans for capital borrowed for the provision of services to customers.

9. Staff requests the Commission act on Staff's recommendation to approve the *Unanimous Agreement*, tariffs and substitute tariff sheets and issue an order with an effective date no later than May 22.

10. Staff's request is being filed as soon as possible after it became aware the *Unanimous Agreement Notice* inadvertently omitted the request and the same day as the Commission ordered Staff to file a recommendation on the tariffs and substitute tariff sheets.

WHEREFORE, Staff requests the Commission find good cause exists to approve on an expedited basis, but with an order effective date no later than May 22, 2014, the parties' *Unanimous Agreement* filed May 9, 2014, and the tariffs and substitute tariff sheets assigned tracking numbers YW-2014-0401 and YS-2014-0402.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez
Senior Staff Counsel
Missouri Bar No. 59814
Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751- 8706 (Telephone)
(573) 751-9285 (Fax)
jennifer.hernandez@psc.mo.gov

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been emailed this 13th day of May, 2014 to all counsel of record in this proceeding.

/s/ Jennifer Hernandez

