

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 10th day of September, 2014

In the Matter of a Requested Rate Increase for Annual Sewer Operating Revenues by Hickory Hills Water & Sewer)
) File No. SR-2014-0166
) Tracking No. YS-2015-0007

In the Matter of a Requested Rate Increase for Annual Water Operating Revenues by Hickory Hills Water & Sewer)
) File No. WR-2014-0167
) Tracking No. YW-2015-0006

**ORDER DENYING MOTION FOR WAIVER
AND AMENDING PROCEDURAL SCHEDULE**

Issue Date: September 10, 2014

Effective Date: September 13, 2014

The Commission is denying Staff's *Joint Motion for Waiver and Proposed Amended Procedural Schedule* ("joint motion")¹ because the proposed procedural schedule would exceed the 11-month time frame prescribed by the Commission's regulation.

The Commission's regulation sets a time frame for disposition 11 months after commencement of the action.² Because the case began on December 2, 2013, the 11 month deadline is November 2, 2014. The procedural schedule as currently ordered is within that time frame³ but is the subject of several proposals to amend, which compare as follows.

¹ Electronic Filing and Information System ("EFIS") No. 49, filed on September 9. All dates are in 2014 except as otherwise noted.

² 4 CSR 240-3.050(24).

³ Electronic Filing and Information System ("EFIS") No. 43, *Order Suspending Tariff, Notice of Contested Case, Notice of Hearing, and Procedural Schedule*, issued on August 27.

The Office of the Public Counsel (“OPC”) filed a motion proposing changes to the procedural schedule that fall within the regulation’s time frame.⁴ Hickory Hills Water & Sewer Company (“Hickory Hills”) filed a motion setting forth conflict dates when Hickory Hills’ receiver will be out of the country.⁵ The Commission proposes a hearing date of September 26, which keeps this action within the time frame and accommodates the receiver’s travel schedule.⁶

By contrast, the joint motion exceeds the time frame without any proffered reason, and offers no suggestion against the Commission’s September 26 hearing date. Also, the joint motion suggests dates for filing documents while, or just after, Hickory Hills’ receiver will be out of the country. And Hickory Hills does not join in the motion.

Therefore, the Commission will deny the motion and amend the procedural schedule as set forth in the ordered paragraphs. Because Hickory Hills still has until noon on September 12 to file a response to the proposals of the Commission and OPC,⁷ the Commission will make this order effective on September 13.

THE COMMISSION ORDERS THAT:

1. The *Joint Motion for Waiver and Proposed Amended Procedural Schedule* is denied.

2. The procedural schedule is amended as follows.

⁴ EFIS No. 42, *The Office of the Public Counsel's Request for Amended Procedural Schedule*, filed on August 29.

⁵ EFIS No. 47, *Motion to Reschedule Evidentiary Hearing and Motion for Corresponding Change in Scheduling Order*, filed on September 8.

⁶ EFIS No. 48, *Order Setting Time to Respond*, issued on September 9.

⁷ EFIS No. 48, *Order Setting Time to Respond*, issued on September 9.

<i>Date (2014)</i>	<i>Event</i>
September 12	Rebuttal Testimony filed
September 17	Surrebuttal Testimony filed
September 19	List of Issues, List and Order of Witnesses, Order of Opening, Order of Cross, Statement of Positions filed
September 22	Hearing
October 17	Simultaneous Briefs due

3. This order shall become effective on September 13, 2014.

BY THE COMMISSION



Morris L Woodruff

Morris L. Woodruff
Secretary

R. Kenney, Chm., Stoll, W. Kenney,
Hall, and Rupp, CC., concur.

Jordan, Senior Regulatory Law Judge