

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

In the Matter of the Application of Highway H )	
Utilities, Inc. for a Certificate of Convenience and )	
Necessity Authorizing It to Construct, Install, Own, )	File No. WA-2009-0316
Operate, Control, Manage, and Maintain a Water )	
System for the Public in an Unincorporated Area )	
of Pulaski County, Missouri )	
)	
In the Matter of the Application of Highway H )	
Utilities, Inc. for a Certificate of Convenience and )	
Necessity Authorizing It to Construct, Install, Own, )	File No. SA-2009-0317
Operate, Control, Manage, and Maintain a Sewer )	
System for the Public in an Unincorporated Area )	
of Pulaski County, Missouri )	
)	

**STAFF RECOMMENDATION ON TARIFF FILING**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), through the undersigned counsel, and files this *Recommendation* for approval of the June 25, 2009 tariff filings of Highway H Utilities, Inc (HHU or Company) with the Missouri Public Service Commission (Commission). For this *Recommendation*, Staff respectfully states the following:

1. On March 5, 2009, HHU filed an *Application* with the Missouri Public Service Commission (Commission) for a certificate of convenience and necessity to construct, install, own, operate, control, manage, and maintain water and sewer systems for the public in an unincorporated area of Pulaski County, Missouri. The *Application* was assigned the above two file numbers.
2. On June 18, 2009, the Commission issued an *Order Granting Certificate Of Convenience And Necessity (Order)*, which granted HHU authority to provide water and sewer services in an expanded area of the Northern Heights Estates Subdivision, Pulaski County, Missouri, along with certain conditions and reporting requirements.

3. On June 25, 2009, HHU filed revised tariffs with an effective date of July 25, 2009, which were assigned tracking numbers YW-2009-0887 and YS-2009-0886.
4. The Commission has the authority to approve the subject proposed tariff revisions in accordance with Sections 393.140 (11) and 393.150 RSMo (2000).
5. Additionally, Section 393.130.1, RSMo provides that all charges made by any water or sewer corporation for services rendered or to be rendered shall be "just and reasonable."
6. Staff states that the proposed tariff revisions are in accordance with the conditions contained in the Commission's *Order*, and that the rates and charges contained in the tariff revisions are just and reasonable, and necessary to maintain safe and adequate operation of the Company. Staff's *Memorandum* is attached hereto and labeled as Attachment A.

**WHEREFORE**, Staff recommends the Missouri Public Service Commission issue an order that approves the revised tariff sheets that the Company submitted to the Commission on June 25, 2009, to be effective for service rendered on and after July 25, 2009.

Respectfully submitted,

**/s/ Jennifer Hernandez**

Jennifer Hernandez  
Legal Counsel  
Missouri Bar No. 59814

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on all parties of record this 13<sup>th</sup> day of July, 2009, either by hand delivery, electronic mail or First Class United States Mail, postage prepaid.

**/s/ Jennifer Hernandez**

## MEMORANDUM

TO: Missouri Public Service Commission Official Case File  
Case No. WA-2009-0316  
File Nos. YW-2009-0887 (water) and YS-2009-0886 (sewer)  
Highway H Utilities, Inc.

FROM: Jim Merciel – Water & Sewer Department

<u>/s/ Jim Merciel</u>	<u>7/13/09</u>
Project Coordinator	Date

<u>/s/ Jennifer Hernandez</u>	<u>7/13 /09</u>
General Counsel's Office	Date

SUBJECT: Staff's Recommendation for Approval of Tariff Sheets

DATE: July 13, 2009

On June 18, 2009, the Commission issued its Order Granting Certificate of Convenience and Necessity (Order) granting Highway H Utilities, Inc. (Hwy H or Company) a certificate of convenience and necessity (Certificate) to provide water service and sewer service to an area known as Northern Heights Estates 2. The Order was issued on June 18, 2009 and became effective on June 28, 2009. The Order requires Hwy H to submit tariff sheets to reflect the service area granted in this case.

On June 25, 2009, Hwy H submitted revised tariff sheets containing an amended index, a map and a written description for its water tariff and sewer tariff, depicting the expanded service area as authorized in this case. The tariff sheets bear an effective date of July 25, 2009.

As was noted in its *Staff Recommendation* filed in this case on May 15, 2009, the Staff reviewed Hwy H's history regarding the submittal of its Commission annual reports and the payment of its Commission assessments, and found no deficiencies in this regard.

Hwy H has a rate case pending before the Commission, but no other pending matters. Approval of these tariff sheets will not affect the rate case, or any other matter before the Commission.

The Staff has reviewed the tariff sheets submitted by Hwy H in File No. YW-2009-0887 for its water tariff and YS-2009-0886 for its sewer tariff. The Staff finds them to be correct and accurate, and believes that they comply with the Order. The Staff, therefore, recommends approval of these tariff sheets to become effective on July 25, 2009.

Attachment A

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**STATE OF MISSOURI            )**  
                                       **) ss**  
**COUNTY OF COLE            )**

**COMES NOW** JAMES A. MERCIEL JR, being of lawful age, on oath states: that he has participated in the preparation of July 13, 2009 *Memorandum* filed in the above captioned cases; that he has knowledge of the matters set forth in the *Memorandum* and in the above captioned cases; that he has reviewed the revised tariffs YW-2009-0887 and YS-2009-0886 filed on June 25, 2009; and that the matters set forth in the *Memorandum* are true and correct to the best of his knowledge, information and belief.

James A. Merciel, Jr., P.E.

Subscribed and sworn to before me this 13<sup>th</sup> day of July 2009.

Sharon L. Niles  
Notary Public

