

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 22nd day of October, 2015.

In the Matter of the Rate Increase Requests of the Regulated Water and Sewer Utilities Owned and Operated by Ozark International, Inc.

) File No. WR-2015-0192
)
) Tracking Nos. JW-2016-0082,
) JW-2016-0083, JW-2016-0084,
) JW-2016-0085, JW-2016-0086,
) YS-2016-0088, YW-2016-0087

ORDER SUSPENDING TARIFFS AND NOTICE OF CONTESTED CASE

Issue Date: October 22, 2015

Effective Date: October 22, 2015

The pending tariffs bear proposed effective dates of October 30, 2015. The 11-month deadline for the effective date of the Commission's decision¹ is January 11, 2015. This action represents the consolidation of applications from six entities² that provide water service in the Missouri Counties of Christian, Taney, and Stone, to 947 customers. One of those entities also provides sewer service to 28 customers.

A. Filings

Each of those entities filed a letter seeking a rate increase. Each of those letters described facts within the scope of the Commission's regulation for small utility rate increases.³ Each entity is owned and operated by Ozark International, Inc. Upon the

¹ 4 CSR 240-3.050(24).

² Midland Water Company, Inc.; Riverfork Water Company; Taney County Water, LLC; Valley Woods Utility, LLC; Moore Bend Water Utility, LLC; Valley Woods Utility, LLC; and Bilyeu Ridge Water Company, LLC.

³ 4 CSR 240-3.050.

motion of the Commission's staff,⁴ the Commission consolidated all applications into one action.⁵

Staff filed an agreement.⁶ The agreement provided for a full resolution of the utility's request between Staff and the applicants. That resolution included schedules for rates and terms for service ("tariffs") for each entity.

The applicants filed the tariffs.⁷ But the Office of the Public Counsel ("OPC") did not sign the agreement. OPC filed a request for local public hearings,⁸ and the Commission granted that request by separate order.⁹

B. Suspension of Tariffs

The request also includes a motion to suspend the tariffs pending the setting and conduct of local public hearings. The tariffs' proposed effective dates of October 30, 2015, do not allow sufficient time to set and conduct the local public hearings, and to determine whether the tariffs are just and reasonable as the law requires. OPC seeks a suspension of 120 days, as the statutes authorize the Commission to do.¹⁰ The Commission will suspend the tariffs until January 11, 2015, which is the 11-month deadline established by the Commission's regulation.

⁴ EFIS No. 2, *Motion to Consolidate* (February 11, 2015).

⁵ EFIS No. 5, *Order Consolidating and Re-Styling Cases* (March 3, 2015).

⁶ EFIS No. 9 (September 8, 2015) *Notice of Agreement*.

⁷ EFIS Nos. 10, 11, 12, 13, 14, 15, and 16 (September 14, 2015).

⁸ EFIS No. 25 (October 15, 2015) *The Office of the Public Counsel's Request for Local Public Hearing*.

⁹ EFIS No. 26 (October 16, 2015) *Order Granting Local Public Hearings*.

¹⁰ Section 393.150.1, RSMo 2000.

C. Notice of Contested Case

The suspension of the tariffs begins a contested case because the suspension of a tariff occurs only pending a “full” hearing and decision on the tariff’s propriety.¹¹ The provision for a full pre-decision hearing signifies that this action is now a “contested case.”¹² This order and notice does not require any party to file an answer. The Commission’s discovery provisions are at regulation 4 CSR 240 2.090.

THE COMMISSION ORDERS THAT:

1. The motion to suspend the tariffs is granted.
2. The tariffs described in the body of this order, all filed on September 14, 2015, are suspended from October 30, 2015, until January 11, 2016, as follows:

<i>Applicant-(Service)</i>	<i>Tracking No.</i>	<i>Specific Tariff Suspended</i>
Bilyeu Ridge Water Company, LLC-(Water)	JW-2016-0083	<u>P.S.C. MO No. 2</u>
Midland Water Company, Inc.-(Water)	JW-2016-0082	<u>P.S.C. MO No. 3</u>
Moore Bend Water Utility, LLC-(Water)	JW-2016-0086	<u>P.S.C. MO No. 3</u>
Riverfork Water Company-(Water)	JW-2016-0084	<u>P.S.C. MO No. 2</u>
Taney County Water, LLC-(Water)	JW-2016-0085	<u>P.S.C. MO No. 3</u>
Valley Woods Utility, LLC-(Water)	YW-2016-0087	<u>P.S.C. MO No. 2</u>
Valley Woods Utility, LLC-(Sewer)	YS-2016-0088	<u>P.S.C. MO No. 3</u>

¹¹ Section 393.150.1, RSMo 2000.

¹² Section 536.010(4), RSMo Supp. 2013.

3. This order shall be effective when issued.

BY THE COMMISSION



A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney,
Rupp, and Coleman, CC., concur.

Jordan, Senior Regulatory Law Judge