

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

In the Matter of Timber Creek Sewer	)	
Company's Commencement of a Staff	)	File No. SR-2026-0093
Assisted Rate Case	)	JS-2027-0017

PROVISIONAL MOTION FOR WAIVER

COMES NOW Timber Creek Sewer Company ("TCSC"), and for its *Provisional Motion for Waiver* pursuant to Commission Rule 20 CSR 4240-10.075(15), respectfully states as follows to the Missouri Public Service Commission ("Commission"):

1. On December 15, 2026, TCSC filed a letter requesting an increase in its annual sewer system operating revenues.

2. On July 31, 2026, Staff filed, on its and TCSC's behalf, a *Nonunanimous Agreement Regarding Disposition of Small Water Company Revenue Increase Request* (Disposition Agreement), which provides for a full resolution of all outstanding issues. While the Office of the Public Counsel (OPC) was not a signatory to the Disposition Agreement, Counsel for OPC has affirmatively stated, as reflected in the Disposition Agreement (p. 2, FN 1), that OPC does not object to the agreement reached by Staff and the Company.

3. Also on July 31, 2026, TCSC filed a proposed tariff, Tracking No. JS-2027-0017, in accordance with the Disposition Agreement. The proposed tariff sheets carry an effective date of August 30, 2026 (a 30-day effective date).

4. Commission Rule 20 CSR 4240-10.075(11)(B) states:

If the disposition agreement provides for a full resolution of the small utility rate case and is executed by all parties, the utility will submit to the commission, within five (5) business days of staff's filing, new and/or revised tariff sheets bearing an effective date of not fewer than thirty (30) days later, to implement the agreement.

5. Commission Rule 20 CSR 4240-10.075(11)(C) states:

If the disposition agreement filed by staff provides for a full resolution of the small utility rate case but is not executed by all parties, the utility will submit to the commission concurrent with staff's filing new and/or revised tariff sheets, bearing an effective date that is not fewer than forty-five (45) days after they are filed, to implement the agreement.

6. While the Disposition Agreement filed this date is not "executed" by all parties, given OPC's non-objection, the Commission may treat it as unanimous per Commission Rule 20 CSR 4240-2.115.

7. Commission Rule 20 CSR 4240-10.075(15) authorizes the Commission to waive any provision of the Staff Assisted Rate Case Procedure for good cause shown.

8. To the extent that the tariff filing may be found to not comply with Commission Rule 20 CSR 4240-10.075(11)(C), TCSC provisionally requests that it be granted a waiver of this rule for the purpose of allowing the tariff sheets to potentially take effect for service rendered on and after August 30, 2026.

9. Because (a) the sheets have been filed in accordance with the Disposition Agreement; (b) the Commission and the public have been aware of TCSC's request for a rate increase for over seven months; (c) the parties, through the rate case process, have been able to consider the Company's request; and, (d) OPC's non-objection provides a basis to treat the Disposition Agreement as unanimous, there is no reason to require the extra fifteen days associated with a 45 day effective date, and good cause to waive Commission Rule 20 CSR 4240-10.075(11)(C), if it would otherwise be deemed to be applicable in this situation.

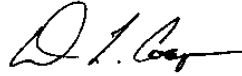
WHEREFORE, TCSC provisionally requests an order of the Commission that waives the

45-day filing requirement of Commission Rule 20 CSR 4240-10.075(11)(C) for good cause shown.

Respectfully submitted,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:



Dean L. Cooper Mo. Bar 36592
BRYDON, SWEARENGEN & ENGLAND P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
Telephone: (573) 635-7166
dcooper@brydonlaw.com

**ATTORNEYS FOR TIMBER CREEK SEWER
COMPANY**

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing document was sent via electronic mail on this 31st day of July 2026 to all counsel of record.

