

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

In the Matter of the Application of Lake Region)	
Water & Sewer Company for a Certificate of)	
Convenience and Necessity authorizing it to)	
construct, install, own, operate, control, manage)	<u>Case No. WA-2005-0463, et al.</u>
and maintain a water and sewer system for the)	
public located in an unincorporated area in)	
Camden County, Missouri.)	

**MOTION TO EXTEND
TIME WITHIN WHICH TO SUBMIT ENGINEERING STUDY**

COMES NOW Lake Region Water & Sewer Company (LRWS) and respectfully submits the following to the Commission:

1. On June 2, 2005, Lake Region Water & Sewer Company filed an application for a certificate of public convenience and necessity to construct, own, and operate a water and sewer system for the public in an unincorporated area of Camden County, Missouri. The application was assigned Case No. WA-2005-0463 for the water application, and Case No. SA-2005-0464 for the sewer application. The two cases were subsequently consolidated.

2. The Staff of the Commission and LRWS filed a nonunanimous stipulation and agreement on September 29, 2006 which was amended in a filing of October 6. Staff filed suggestions in support of the stipulation and agreement on October 11, 2006. No party objected to the stipulation and agreement within seven days after it was filed. Therefore, as provided by 4 CSR 240-2.115(2), the Commission treated the stipulation and agreement as unanimous. On October 26, 2006, the Commission approved the stipulation and agreement and granted LRWS the requested certificate of convenience and necessity. The order was effective November 5, 2006.

3. The Commission noted in its order:

The stipulation and agreement further states that Lake Region's water supply and storage facilities and sewer treatment facilities currently have sufficient capacity to meet the immediate demands of the expanded service area. Lake Region has agreed to conduct an engineering study of the facility improvements that will likely be needed to meet the long term needs of the expanded service area. That study is to be completed no later than six months after the requested certificate is granted.

Order at page 2-3.

4. Since the time the certificate was granted LRWS has been in contact with the Commission's Water and Sewer Department staff on the elements of the study and the time when capacity of the systems should be tested.

5. The stipulation entered by the parties presumed that an engineering study performed in the six months following approval of the certificate would provide not only baseline information on capacity demands of the expanded service area but also reliable data on peaks in capacity demand for that area. However, LRWS's expanded service area is not heavily populated during cool season months. An engineering study completed six months following October 26, 2006, the date of the Commission's order approving the application in this case, would not cover the summer months when water usage and wastewater discharges are heaviest in LRWS's expanded service area. Such a study would not have given a clear picture to Staff or the Company of whether LRWS's total available wastewater treatment capacity was adequate, or whether improvements to the facilities or capacity additions were needed to meet treatment requirements related to summer season loads.

6. LRWS has delayed the filing of the engineering study so that the period of time covered by its study includes times of heaviest demand on the systems, such as summer vacation season, and the Independence Day and Labor Day national holidays. In this way, a truer

estimate of current demand on the systems has been calculated and in turn, reliable data is in place by which to plan for or absorb future growth.

7. Engineers for LRWS are still assembling the raw data for the study and expect to start finalizing the study soon. LRWS anticipates that the engineering study will be in a form for filing by Friday, November 30, 2007.

8. LRWS submits that the delay in filing the study was not out of disobedience to the Commission or in offense to the stipulation of the parties but rather was done in order to meet the spirit of the study requirement and provide the best data upon which to make needed judgments for the future.

WHEREFORE, Lake Region Water & Sewer Company respectfully requests that the Commission enter an order permitting the Company to file its above mentioned engineering study on or before November 30, 2007.

Respectfully submitted

/s/ Mark W. Comley

Mark W. Comley, Mo. Bar #28847
Newman, Comley & Ruth P.C.
601 Monroe Street, Suite 301
P.O. Box 537
Jefferson City, MO 65102-0537
(573) 634-2266 (voice)
(573) 636-3306 (facsimile)
comleym@ncrpc.com

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 10th day of September, 2007, to General Counsel's Office at gencounsel@psc.mo.gov; and Office of Public Counsel at opcservice@ded.mo.gov.

/s/ Mark W. Comley