

THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

Before Commissioners:                    Thomas E. Wright, Chairman  
    Joseph F. Harkins  
    Ward Loyd

In the Matter of the Application of Suburban                    )  
Water, Inc. d/b/a Suburban Water Company                    )                    Docket No. 11-SUBW-448-RTS  
for an Order Increasing its Rates in                                    )  
Leavenworth County, Kansas.    )

**ORDER SUSPENDING EFFECTIVE DATE OF APPLICATION  
AND ORDER GRANTING THE CITIZENS' UTILITY  
RATEPAYER BOARD PETITION TO INTERVENE**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised in the premises, the Commission finds and concludes as follows:

1.        On December 21, 2010, Suburban Water, Inc. d/b/a Suburban Water Company (Suburban) filed an application requesting permission to increase its rates. Suburban's application comes to the Commission after the Commission denied Suburban's request for a purchased water adjustment in Docket No. 10-SUBW-602-TAR (602 Docket). Suburban's current application was filed pursuant to K.S.A. 66-117, and as directed by the Commission in its November 3, 2010 Order on Application in the 602 Docket, the current filing uses the "abbreviated" or simplified filing procedures set out in K.A.R. 82-1-231b.

2.        The Commission notes that a complete review of the filing will require a thorough investigation by Staff. In order to allow sufficient time for a full investigation, the Commission

finds that it is necessary to suspend the effective date of the filing for a period of 240 days, until August 18, 2011, as allowed by K.S.A. 66-117(c).

3. On December 23, 2010, the Citizens' Utility Ratepayer Board (CURB) filed a petition to intervene. CURB indicated that pursuant to K.S.A. 66-1223 it is statutorily charged with representing in proceedings before the Commission the interests of Kansas' residential and small commercial ratepayers.

4. The Commission finds that CURB, in its role as set forth in K.S.A. 66-1223 as Consumer Counsel, has stated facts demonstrating that CURB's legal rights, duties, privileges, immunities, or other legal interests may be substantially affected by this proceeding. K.A.R. 82-1-225(a)(2). Further, the Commission finds that allowing the intervention is in the interests of justice and the orderly and prompt conduct of the proceedings will not be impaired. K.A.R. 82-1-225(a)(3). Given these findings, the Commission finds that K.A.R. 82-1-225(a) requires the Commission grant CURB's petition to intervene.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

- A. The filing is suspended pursuant to K.S.A. 66-117(c), until **August 18, 2011**.
- B. CURB's petition to intervene is granted.
- C. The parties have fifteen days, plus three days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2009 Supp. 77-529(a)(1).
- D. The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Wright, Chmn.; Harkins, Com.; Loyd, Com.

**ORDERED MAILED**

Dated: JAN 12 2011

JAN 12 2011

*Susan K. Duffy* EXECUTIVE  
DIRECTOR

Susan K. Duffy  
Executive Director

crh