

BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

MAR 22 2013

by
State Corporation Commission
of Kansas

In the Matter of the Application of Howison)
Heights, Inc., for Approval of the Commission) Docket No. 13-HHIW-570-RTS
to Make Certain Changes in its Rates for Water)
Service)

STAFF'S RESPONSE IN SUPPORT OF MOTION FOR WAIVER

COMES NOW, the Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), and hereby states the following in response to Howison Heights, Inc.'s (Howison's) Motion for Waiver (Motion) filed on March 18, 2013:

1. On March 18, 2013, Howison filed an Application (Application) requesting authority from the Commission to adjust its rates and accompanying tariffs as they relate to the provisioning of water service in Saline County, Kansas. The Application was accompanied by the Motion, seeking waiver of certain rate case filing requirements under K.A.R. 82-1-231b.

2. Staff has reviewed the Motion. The Motion specifically requests that Howison be exempted from filing all other schedules required to be filed that Howison did not file in its rate case application. As legal authority for this request, Howison cites to K.A.R. 82-1-231(i) which states the Commission may waive any requirements of K.A.R. 82-1-231 for good cause shown. Given that Howison's Application was filed pursuant to K.A.R. 82-1-231b, Staff notes that there is a similar provision found under K.A.R. 82-1-231b(f).

3. Staff agrees with Howison's assertions that good cause exists for the Commission to allow the requested waiver. Howison asserts in its Motion for Waiver that Howison is a very small, privately owned water public utility serving approximately 62 customers. Howison also asserts that the Motion for Waiver is made in an attempt to reduce the costs associated with the filing of the rate case application. Staff does not dispute these assertions. Staff believes that

minimizing the financial burden on ratepayers is always important, especially where the added rate case expenses will be apportioned among a small group of ratepayers. This is not to say that Staff will support incomplete or inadequate filings.

4. Staff believes that Howison has filed sufficient information with its rate case application to enable Staff to properly investigate Howison's proposed rates. Therefore Staff believes waiver is appropriate in this case.

WHEREFORE, Staff respectfully requests the Commission grant Howison's Motion.

Respectfully Submitted,



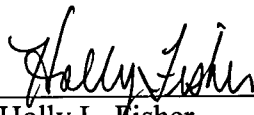
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Michael Neeley, S. Ct. #25027
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VERIFICATION

STATE OF KANSAS)
) ss
COUNTY OF SHAWNEE)

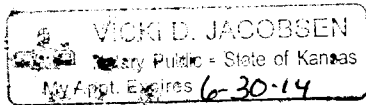
Holly L. Fisher of lawful age, being first duly sworn upon oath, deposes and states:

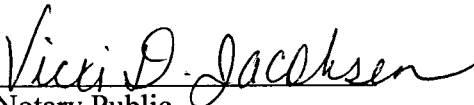
That she is an attorney for The State Corporation Commission of the State of Kansas; that she has read the above and foregoing *Staff's Response in Support of Motion for Waiver* and that the statements therein contained are true according to her knowledge, information and belief.



Holly L. Fisher

Subscribed and sworn before me this 22nd day of March, 2013.





Notary Public

My Appointment Expires: 6-30-14

CERTIFICATE OF SERVICE

13-HHIW-570-RTS

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Staff's Response in Support of Motion for Waiver was placed in the United States mail, postage prepaid, or hand-delivered this 22nd day of March, 2013, to the following:

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CERTIFICATE OF SERVICE

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Vicki Jacobsen
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