

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,)
for Approval of a Purchased Water Adjustment) Docket No. 10-SUBW-602-TAR
("PWA").)

In the Matter of the Application of Suburban)
Water, Inc., d/b/a Suburban Water Company,)
for Approval of an Automatic Meter Reading) Docket No. 10-SUBW-603-TAR
System Surcharge Tariff.)

PREHEARING OFFICER'S ORDER SETTING PREHEARING CONFERENCE

The above-captioned matters come on for consideration. In an Order Designating Prehearing Officer, the Commission designated Martha J. Coffman, Advisory Counsel, to act as Prehearing Officer in this proceeding. April 16, 2010 Order, ¶ 5. Having reviewed the filings in this proceeding, the Prehearing Officer finds as follows:

1. On March 26, 2010, Suburban Water, Inc., d/b/a Suburban Water Company, filed two tariff Applications asking the Commission to approve a Purchased Water Adjustment (PWA) and an Automatic Meter Reading System Surcharge Tariff (AMR). The Commission has jurisdiction under K.S.A. 66-117 and K.S.A. 66-1, 230, *et seq.*

2. On April 7, 2010, Orders were issued in these dockets that granted The Citizens' Utility Ratepayer Board (CURB) intervention and that suspended operation of Suburban Water's proposed tariffs and deferred their effective dates to November 14, 2010.

3. The Prehearing Officer concludes that a Prehearing Conference should be set in this proceeding to consider consolidating these dockets, to develop a procedural schedule, to

discuss a public hearing as the Commission ordered in its April 16, 2010 Order, ¶ 4, and to resolve any other prehearing matters appropriately considered in a prehearing conference.

4. At the Prehearing Officer's request, Litigation Counsel consulted with the parties and determined they are available on May 5, 2010, for a prehearing conference to discuss scheduling and on July 22, 2010, for a public hearing in the territory served by Suburban Water.

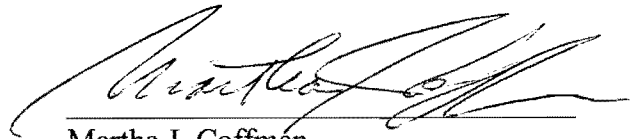
5. The Prehearing Officer sets a Prehearing Conference for May 5, 2010, at 2:00 p.m., in the Third Floor Hearing Room of the Commission's Offices, 1500 SW Arrowhead Road, Topeka, Kansas 66604. Prehearing Officer Martha Coffman, at 1500 SW Arrowhead Road, Topeka, Kansas 66604, telephone number 785-271-3105, email address m.coffman@kcc.ks.gov, will preside. The Prehearing Conference will follow a regularly scheduled Commission Open Meeting and will begin after that meeting ends if it continues in session at 2:00 p.m. Issues to be addressed at the scheduling conference include (1) the procedural schedule, including the one proposed by the parties informally, (2) a public hearing, which the Director of Communications recommends be held on July 22, 2010, at Bonner Springs Community Center, (3) the use of electronic service, (4) the possibility of consolidating these dockets, and (5) other matters appropriately considered in a prehearing conference. Any party who fails to attend or participate in the hearing or in any other stage of this proceeding may be held in default under the Kansas Administrative Procedure Act (KAPA). K.S.A. 77-516(c)(8); K.S.A. 2009 Supp. 77-520. At the prehearing conference, this proceeding without further notice may be converted into a conference hearing or a summary proceeding for disposition of the matter as provided by KAPA. K.S.A. 77-516(c)(7).

WHEREFORE, the Prehearing Officer orders that:

(A) A prehearing conference will be conducted in these dockets on May 5, 2010, at 2:00 p.m., in the Third Floor Hearing Room, at the Commission's offices, as discussed in ¶ 5.

(B) This Order will be served by mail. Parties have fifteen days, plus three days if service of this Order is by mail, from the date of mailing this Order in which to petition the Commission for reconsideration. K.S.A. 66-118b; K.S.A. 2009 Supp. 77-529(a)(1). A courtesy copy of this Order will be email to the counsel.

(C) The Commission retains jurisdiction over the subject matter and parties for the purpose of entering such further order or orders as it may deem necessary.




Martha J. Coffman
Prehearing Officer

Dated: 28 April 2010

ORDERED MAILED

APR 29 2010

 **EXECUTIVE
DIRECTOR**

CERTIFICATE OF SERVICE

10-SUBW-602-TAR & 10-SUBW-603-TAR

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Prehearing Officer's Order Setting Prehearing Conference was placed in the United States mail, postage prepaid, or hand-delivered this 28th day of April, 2010, to the following:

JAMES G. FLAHERTY, ATTORNEY
ANDERSON & BYRD, L.L.P.
216 SOUTH HICKORY
PO BOX 17
OTTAWA, KS 66067
Fax: 785-242-1279
jflaherty@andersonbyrd.com

NIKI CHRISTOPHER, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604
Fax: 785-271-3116
n.christopher@curb.kansas.gov
**** Hand Deliver ****

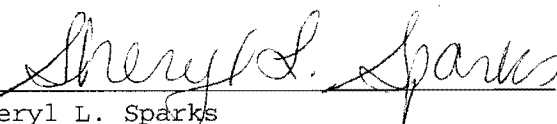
C. STEVEN RARRICK, ATTORNEY
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604
Fax: 785-271-3116
s.rarrick@curb.kansas.gov
**** Hand Deliver ****

DAVID SPRINGE, CONSUMER COUNSEL
CITIZENS' UTILITY RATEPAYER BOARD
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604
Fax: 785-271-3116
d.springe@curb.kansas.gov
**** Hand Deliver ****

COLLEEN HARRELL, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD ROAD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
c.harrell@kcc.ks.gov
**** Hand Deliver ****

MIKE BREUER, PRESIDENT
SUBURBAN WATER CO.
1216 N 155TH ST
PO BOX 147
BASEHOR, KS 66007
Fax: 913-724-1505
mike@suburbanwaterinc.com

GREGORY L. WILSON, CPA
TWENTY-FIRST CENTURY MANAGEMENT
PO BOX 532
DE SOTO, KS 66018
Fax: 913-856-4731
greg12@sprynet.com



Sheryl L. Sparks
Administrative Specialist