

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

The Staff of the Missouri Public Service Commission,)	
)	
Complainant,)	
)	
v.)	
)	<u>Case No. WC-2010-0227</u>
Aspen Woods Apartment Associates, LLC, and National Water & Power, Inc.)	
)	
Respondents.)	

JOINT REPORT ON SIMILARLY SITUATED APARTMENT COMPLEXES

COME NOW Aspen Woods Apartment Associates, LLC (Aspen Woods) and National Water & Power, Inc. (NWP), and respectfully state the following to the Commission:

1. On December 1, 2010, the Commission issued an order directing the Parties to file a report delineating the number of Missouri apartment complexes that are similarly situated to the complexes owned and/or managed by Aspen Woods, that pass-through costs of utility services to their tenants and that may be affected by this litigation should the Commission determine it has jurisdiction in this instance.

2. Although the December 1 order appeared to contemplate a joint report by the parties by December 31, on December 30, 2010 Intervenor National Apartment Association filed its own report. Staff, Aspen Woods, and NWP have had communications toward attempting to prepare and file a joint report. At the time of filing this Joint Report it does not appear those discussions will be concluded today, the deadline for the requested report. Aspen Woods and NWP have determined to file this joint report as their separate compliance.

3. Aspen Woods has no information upon which to estimate the number of similarly situated apartment complexes in Missouri that pass through utility costs to tenants.

4. NWP has some knowledge as to the extent of services provided by smaller regional billing vendors, and also has some knowledge as to which apartment complexes perform pass through of utility costs “in house”, without utilizing the services of a billing vendor. Based upon this information, NWP in early December made a rough estimate that there are probably 500 or more similarly situated complexes in Missouri. NWP did not attempt to do a more refined estimate, as it believed information to be supplied by the National Apartment Association’s Report would be more accurate and reliable.

5. NWP has reviewed the NAA Report filed yesterday. NWP is disappointed that the report did not explain the basis for its distinction between apartment homes and rental homes, and that it did not have more specifics as to how many apartment/rental homes could be considered “complexes”.

WHEREFORE, the Aspen Woods and NWP submit this joint report for the Commission’s information and consideration.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this pleading was electronically mailed to the following attorneys of record in this proceeding this 31st day of December, 2010:

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