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November 9, 1999

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Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED³

NOV 09 1999

Missouri Public
Service Commission

RE: Case No. WR-2000-281

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and fourteen (14) conformed copies of a **JOINT MOTION OF STAFF AND OFFICE OF THE PUBLIC COUNSEL TO MODIFY SUSPENSION ORDER AND NOTICE AND ORDER CONSOLIDATING CASES.**

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

Keith R. Krueger
Deputy General Counsel
(573) 751-4140
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KRK/jb
Enclosure
cc: Counsel of Record

FILED³

NOV 09 1999

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Missouri Public
Service Commission

In the Matter of Missouri-American Water)
Company's Tariff Sheets Designed to)
Implement a General Rate Increase for)
Water Service Provided to Customers in)
the Missouri Service Area of the Company)

Case No. WR-2000-281

**JOINT MOTION OF STAFF AND OFFICE OF
THE PUBLIC COUNSEL TO MODIFY SUSPENSION ORDER
AND NOTICE AND ORDER CONSOLIDATING CASES**

COME NOW the Staff of the Missouri Public Service Commission ("the Staff"), and the Office of the Public Counsel ("OPC"), and for their Joint Motion to Modify Suspension Order and Notice and Order Consolidating Cases, state to the Missouri Public Service Commission ("the Commission"), as follows:

1. On October 15, 1999, Missouri-American Water Company ("the Company") filed revised tariff sheets for the purpose of implementing a general rate increase for water service (Case No. WR-2000-281) and a general rate increase for sewer service (Case No. SR-2000-282). The operation of law date for the said tariff sheets is September 8, 2000.

2. On October 28, 1999, the Commission issued its Suspension Order and Notice and Order Consolidating Cases ("the Suspension Order"). Among other things, the Suspension Order directed the Company to file its prepared direct testimony with the Commission on or before November 29, 1999, and scheduled an evidentiary hearing in these cases for May 9-15, 2000.

3. The objectives of the Commission will best be served if the time between the date for the filing of direct testimony and the dates of the evidentiary hearing is as great as possible, so

long as the date for filing direct testimony is not so soon that it makes it impossible for the Company to effectively prepare its testimony, and so long as the dates for the evidentiary hearing are not so late that they unduly restrict the amount of time that is available for the parties to prepare briefs and for the Commission to deliberate the issues in the case and prepare its Report and Order.

4. As presently scheduled, the time between the filing of direct testimony and the first day of the evidentiary hearing is only 162 days. The Staff and OPC contend that this does not allow sufficient time for the conduct of a thorough audit, for the filing of testimony and for preparation for the hearing.

5. The Staff and the OPC contend that the date for the filing of all direct testimony by the Company, except for testimony regarding rate design, should be advanced by 10 days, to November 19, 1999, and that this will not impair the ability of the Company to prepare its testimony. Counsel for the Company has informed Staff that the Company does not oppose this modification of the Suspension Order.

6. The Staff and the OPC further agree that the evidentiary hearing should be rescheduled, to begin on May 30, 2000, and to conclude by June 5, 2000. Alternatively, the hearing should be scheduled for the week of May 22-26, 2000. Counsel for the Company has informed Staff that the Company does not oppose this modification of the Suspension Order, either.

7. The Staff and the OPC recommend the foregoing joint proposal, in part because it complies as nearly as possible with the "generic" timeline for a rate case that has historically been utilized by the Staff and the Commission in developing procedural schedules, and with the

"generic" timeline recently proposed after extensive study and deliberation, by the Staff's Rate Case Improvement Team.

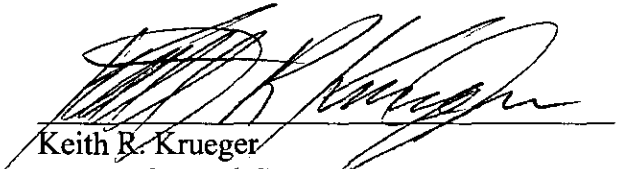
8. The "generic" timeline would have required the Company to file direct testimony by November 15, 1999; the foregoing joint proposal would allow the Company an additional four days to prepare its direct testimony on all issues except rate design, and would allow the Company an additional 14 days to prepare its direct testimony on rate design. The "generic" timeline would have called for an evidentiary hearing near June 5-9; the foregoing joint proposal would set the hearing about a week earlier than that, in order to permit Commission members and Staff personnel to assist with the planning for the MARC Conference, which is to be held in St. Louis June 11-14, 2000.

9. Although the foregoing joint proposal would allow only 193 days between the Company's filing of direct testimony and the evidentiary hearing, compared to the 203 that would be allowed by the "generic" timeline, this is far better than the 162 days that are allowed under the present order, and the parties believe this is a reasonable accommodation, and that it is necessary to enable all parties to most effectively present the evidence in this case. If the Commission adopts the foregoing joint proposal, and if 45 days are allowed for the preparation of transcripts and for briefing, as is normally done, the briefing would be completed by July 20, which is more than seven weeks before the operation of law date.

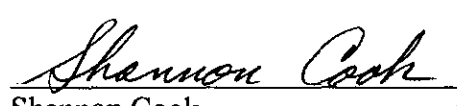
WHEREFORE, the Staff and the OPC respectfully request that the Commission modify its Suspension Order in this case, by establishing November 19, 1999, as the date by which the Company must file direct testimony on all issues except rate design, allowing the Company to file direct testimony on rate design by November 29, 1999, and by rescheduling the evidentiary hearing to May 30-June 5, 2000.

Respectfully submitted,

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 9th day of November 1999.

**Service List for
Case No. WR-2000-281
November 9, 1999**

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