



Martha S. Hogerty
Public Counsel

State of Missouri

Mel Carnahan
Governor

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March 30, 2000

Mr. Dale H. Roberts
Secretary/Chief Regulatory Law Judge
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

FILED

MAR 31 2000

**RE: Missouri American Water Company
Case No. WR-2000-281, et al.**

**Missouri Public
Service Commission**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case please find the original and fourteen copies of the **Office of the Public Counsel's Second Motion to Compel and Request for Expedited Consideration**. Please "file" stamp the extra enclosed copy and return it to this office.

Thank you for your attention to this matter.

Sincerely,

Shannon E. Cook
Assistant Public Counsel

Enclosure

cc: Counsel of Record

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

FILED
MAR 31 2000
Missouri Public
Service Commission

In the Matter of Missouri-American Water)
Company's Tariff Sheets Designed to Implement)
General Rate Increases for Water and Sewer) Case No. WR-2000-281, et al.
Service Provided to Customers in the Missouri)
Service Area of the Company.)

**OFFICE OF THE PUBLIC COUNSEL'S SECOND MOTION TO COMPEL AND
REQUEST FOR EXPEDITED CONSIDERATION**

COMES NOW the Office of the Public Counsel (Public Counsel), and for its
Second Motion to Compel and Request for Expedited Consideration, states as follows:

1. On March 3, 2000, Public Counsel requested certain cost information of
MAWC via OPC Data Request No. 123. This DR and MAWC's response thereto is
attached as Attachment 1. MAWC has not provided Public Counsel with any objection
letter regarding this DR.

2. On March 17, Public Counsel received MAWC's written response
(Attachment 1), which was unresponsive to the data request in that it did not provide the
detailed information requested.

3. On that same date, Public Counsel faxed and mailed to MAWC a letter
stating that the response was not satisfactory and requesting in precise detail the
reconciliation of costs that was sought. The letter is attached hereto as Attachment 2.

4. As of this date, March 30, 2000, no further information has been
forthcoming from MAWC.

5. Since direct testimony regarding all issues except rate design is due to be
filed on Monday, April 3, 2000, Public Counsel's technical staff needs to receive this
information immediately.

6. On March 9, 2000, Public Counsel forwarded OPC Data Request No. 131 to MAWC. This DR requests an electronic copy of the Company's cost of service study and is attached hereto as Attachment 3.

7. Neither an objection letter nor an electronic copy of the Company's cost of service study have been forthcoming. This information should take the Company only minutes to provide, since it can be sent via electronic mail.

8. There are nine additional data requests that have been propounded by Public Counsel throughout the course of this proceeding that have still not been answered by MAWC and are now two to three months late. Public Counsel has received neither objection letters nor responses for these data requests. They are listed below and are attached to this document as Attachments 4 through 12:

<u>Data Request No.</u>	<u>Date of Request</u>	<u>Due Date</u>
111	01/12/00	02/01/00
112	01/12/00	02/01/00
113	01/12/00	02/01/00
114	01/12/00	02/01/00
115	01/12/00	02/01/00
116	01/12/00	02/01/00
117	01/12/00	02/01/00
118	01/12/00	02/01/00
3025	12/07/99	12/27/99

9. WHEREFORE, OPC respectfully requests that the Commission
issue its Order :

- a) requiring MAWC to immediately provide complete responses to
OPC Data Requests Nos. 123, 131, 111 through 118, and 3025,
and to
- b) expedite its consideration of this Motion to Compel in light of the
tight procedural schedule that currently exists in this case.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL



Shannon E. Cook #50169

John B. Coffman #36591

301 East High Street, Box 7800

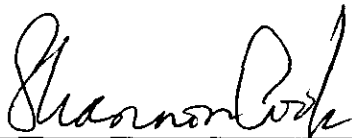
Jefferson City, MO 65102-7800

Telephone: (573) 751-1304

Facsimile: (573) 751-5562

CERTIFICATE OF SERVICE

I hereby certify that true copies of the foregoing document have been faxed,
mailed, or hand-delivered to all counsel of record as shown on the attached service list
this 30 day of March, 2000.



**Service List for
Case No. WR-2000-281, et. al**

General Counsel
Public Service Commission
P. O. Box 360
Jefferson City MO 65102-0360

Chuck D. Brown
City Attorney
P. O. Box 1366
Joplin, MO 64802-1355

James Fischer
Attorney at Law
101 W. McCarty Street, Suite 215
Jefferson City MO 65101

Joseph W. Moreland/Martin Walter
Blake & Uhlig, P.A.
2500 Holmes Road
Kansas City MO 64108

Louis J. Leonatti
Leonatti & Baker
P. O. Box 758
Mexico MO 65265

Diana Vuylsteke
One Metropolitan Square
211 N. Broadway
St. Louis MO 63102-2750

Karl Zobrist
Blackwell, Sanders, Martin LLP
2300 Main Street, Suite 1100
Kansas City MO 64108

Dean L. Cooper/W.R. England, III
Brydon, Swearngen & England
P. O. Box 456
Jefferson City MO 65102-0456

Stuart Conrad
Finnegan, Conrad & Peterson, L.C.
3100 Broadway, Ste. 1209
Kansas City MO 64111

Leland B. Curtis
Curtis, Oetting, Heinz, Garrett & Soule, P.C.
130 S. Bemiston, Suite 200
St. Louis MO 63105

Charles Brent Stewart
Stewart & Keevil, L.L.C.
1001 Cherry Street, Suite 302
Columbia MO 65201

James Deutsch/Henry Herschel
Riezman & Blitz, P.C.
308 E. High Street, Suite 301
Jefferson City MO 65101

Lisa Robertson
City of St. Joseph
City Hall - Room 307
1100 Frederick Avenue
St. Joseph MO 64501

MISSOURI-AMERICAN WATER COMPANY
CASE NO. WR-2000-281/SR-2000-282
Public Counsel Data Request

FILE COPY

Requested From: W. R. England
 Requested By: Kim Bolin
 Date Requested: 03/03/00
 Information Requested:

Please provide a detailed reconciliation of all of the costs incurred for the St. Joseph Water Treatment project (including the costs of the water treatment plant, the wellfield, finished water mains, and etc.) as of the following dates:

1. September 30, 1999
2. December 31, 1999
4. February 29, 2000

Information Provided:

Costs incurred to date are:

1. \$52,975,134.72 by 9/30/99
2. \$65,254,786.31 by 12/31/99
3. \$66,061,824.14 by 2/29/00

THIS RESPONSE INCLUDES:

☐ Printed Materials _____ Total Pages ☐ Magnetic Media _____ No. Disks or Tapes

Please number each page with page/total

File Format for data: _____

List Printed Materials and/or Files Included: _____

The information provided to the Office of Public Counsel in response to the above data information request is accurate and complete, and contains no material misrepresentations or omissions, based upon present to the undersigned. The undersigned agrees to immediately inform the Office of Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

Signed By:

Linda Gutowski

Data Response Received: _____

Prepared By:

Linda Gutowski
Attachment 1



COPY

Martha S. Hogerty
Public Counsel

State of Missouri

Mel Carnahan
Governor

Office of the Public Counsel
Harry S Truman Building - Ste. 250
P.O. Box 7800
Jefferson City, Missouri 65102

Telephone: 573-751-4857
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Relay Missouri
1-800-735-2966 TDD
1-800-735-2466 Voice

March 17, 2000

VIA FACSIMILE AND U.S. MAIL

Mr. Dean Cooper
BRYDON, SWEARENGEN & ENGLAND
P.O. Box 456
Jefferson City, MO 65102-0456

**RE: Missouri American Water Company (WR-2000-281, et al.)
OPC Data Requests Nos. 123, 110 and 119**

Dear Dean:

We have received MAWC's response to OPC Data Request 123. The response is attached hereto. As you can see, the response does not contain a detailed reconciliation of costs as requested. We are conscious of the fact that MAWC's staff is under pressure to turn lots of DR's around quickly; however, we need a more detailed response to this question **listing each expense included in the totals the company has already provided, and the purpose for which each expense was incurred.**

Several other DR's are outstanding, but most important to us at this point are the responses to **No. 123** as mentioned above, and **Nos. 110 and 119**. The latter two responses were due on February 1. Please provide these responses as soon as is humanly possible.

Please contact me if you have any questions regarding this matter. Thanks very much.

Sincerely,

Shannon Cook
Assistant Public Counsel

Enclosure

Cc: Kim Bolin
Hong Hu

Attachment 2

Public Counsel Data Request

No. 131

MISSOURI-AMERICAN WATER COMPANY

CASE NO. WR-2000-281

REQUESTED BY: Hong Hu

REQUESTED FROM: William Stout

DATE OF REQUEST: March 09, 2000

REQUEST:

Please provide an electronic copy of the Company's class cost of service study that shows the flow of data, preferably in the Microsoft Excel format.

THIS RESPONSE INCLUDES:

☐ Printed Materials Total Pages ☐ Magnetic Media No. Disks or Tapes

Please number each page with page / total File Format for data: ..

List Printed Materials and/or Files Included:

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present known facts to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

Date Received: _____ Signed By: _____

Title: _____

Attachment 3

Public Counsel Data Request

No. 111

MISSOURI-AMERICAN WATER COMPANY

CASE NO. WR-2000-281

REQUESTED BY: Hong Hu

REQUESTED FROM: Dean Cooper

DATE OF REQUEST: January 12, 2000

REQUEST:

Please provide the most recent data available of Company's maximum capacities of production and distribution in each district.

THIS RESPONSE INCLUDES:

☐ Printed Materials Total Pages ☐ Magnetic Media No. Disks or Tapes

Please number each page with **page / total** File Format for data:

List Printed Materials and/or Files Included:

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present known facts to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

Date Received: _____ Signed By: _____

Title: _____

Attachment 4

COPY

Public Counsel Data Request

No. 112

MISSOURI-AMERICAN WATER COMPANY

CASE NO. WR-2000-281

REQUESTED BY: Hong Hu

REQUESTED FROM: Dean Cooper

DATE OF REQUEST: January 12, 2000

REQUEST:

Please identify how much storage capacity the Company has in each district. Please provide the most recent data available.

THIS RESPONSE INCLUDES:

☐ Printed Materials Total Pages ☐ Magnetic Media No. Disks or Tapes

Please number each page with **page / total** File Format for data: _____

List Printed Materials and/or Files Included:

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present known facts to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

Date Received: _____ Signed By: _____

Title: _____

Attachment 5

Public Counsel Data Request

No. 113

MISSOURI-AMERICAN WATER COMPANY

CASE NO. WR-2000-281

REQUESTED BY: Hong Hu

REQUESTED FROM: Dean Cooper

DATE OF REQUEST: January 12, 2000

REQUEST:

Please explain in detail about the fire-flow requirement. Please explain any variations based on zoning requirements.

THIS RESPONSE INCLUDES:

☐ Printed Materials _____ Total Pages ☐ Magnetic Media No. Disks or Tapes

Please number each page with **page / total** File Format for data:

List Printed Materials and/or Files Included:

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present known facts to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

Date Received: _____ Signed By: _____

Title: _____

Attachment 6

Public Counsel Data Request

No. 114

MISSOURI-AMERICAN WATER COMPANY

CASE NO. WR-2000-281

REQUESTED BY:

Hong Hu

REQUESTED FROM:

Dean Cooper

DATE OF REQUEST:

January 12, 2000

REQUEST:

Please identify and explain the relative magnitude of lawn watering usage compared to the entire residential water usage (eg. Residential lawn watering usage / residential total water usage). Also, please identify any known variations between districts. If no existing data is available, please provide an approximation.

THIS RESPONSE INCLUDES:

Printed Materials Total Pages ☐ Magnetic Media No. Disks or Tapes

Please number each page with page / total File Format for data:

List Printed Materials and/or Files Included:

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Date Received: Signed By:

Title:

Attachment 7

Public Counsel Data Request

No. 115

MISSOURI-AMERICAN WATER COMPANY

CASE NO. WR-2000-281

REQUESTED BY: Hong Hu

REQUESTED FROM: Dean Cooper

DATE OF REQUEST: January 12, 2000

REQUEST:

What is the Company's water shortage contingency plan? Please provide the relevant tariff and all other documents created by or for the Company or its affiliates in last five years. Please identify when the Company has had water shortages (if any) and please describe the situation and what did the Company do to resolve the problem.

THIS RESPONSE INCLUDES:

☐ Printed Materials ☐ Total Pages ☐ Magnetic Media ☐ No. Disks or Tapes

Please number each page with **page / total** File Format for data:

List Printed Materials and/or Files Included:

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Date Received: _____ Signed By: _____

Title: _____

Attachment 8

Public Counsel Data Request

No. 116

MISSOURI-AMERICAN WATER COMPANY

CASE NO. WR-2000-281

REQUESTED BY:

Hong Hu

REQUESTED FROM:

Dean Cooper

DATE OF REQUEST:

January 12, 2000

REQUEST:

For each district of MAWC, please provide the actual maximum mgd demand for each year for the period from 1989 to 1999, and the projected 2000 maximum mgd demand.

THIS RESPONSE INCLUDES:

☐ Printed Materials

☐ Total Pages

☐ Magnetic Media

☐ No. Disks or Tapes

Please number each page with **page / total**

File Format for data: _____

List Printed Materials and/or Files Included:

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Date Received: _____

Signed By: _____

Title: _____

Attachment 9

Public Counsel Data Request

No. 117

MISSOURI-AMERICAN WATER COMPANY

CASE NO. WR-2000-281

REQUESTED BY: Hong Hu

REQUESTED FROM: Dean Cooper

DATE OF REQUEST: January 12, 2000

REQUEST:

Regarding the MAWC response to Staff's DR question 79-82, the following is a summary of the Company's actual and projected maximum day demands (mgd):

Year	St. Joseph	Mexico	Joplin	Warrensburg
1989	20.8	2.7	14.8	3.5
1990	22.9	3.0	14.1	3.2
1991	25.6	2.7	16.9	3.4
1992	22.0	3.2	12.6	3.3
1993	21.8	2.6	12.9	3.9
1994	22.3	2.7	15.1	3.3
1995	22.1	2.9	16.8	3.8
1996	19.4	3.1	18.8	2.8
1997	20.9	2.9	14.9	3.9
1998	20.9	2.9	15.8	3.8
1999	21.9	3.0	18.0	3.9
2000 (est.)	26.0	4.3	18.3	4.2

Please explain why the estimated year 2000 maximum day demands for these districts (the St. Joseph and Mexico districts, especially) appear to be above where the trend would suggest? Please identify each and every factors that are involved in determining the 2000 maximum day demand. Please provide a copy of the workpaper that support the year 2000 estimates for all districts.

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present known facts to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

Date Received: _____ Signed By: _____
Title: _____

Attachment 10

Public Counsel Data Request

No. 117

THIS RESPONSE INCLUDES:

☐ Printed Materials _____ Total Pages

☐ Magnetic Media _____ No. Disks or Tapes

Please number each page with **page / total**

File Format for data: _____

List Printed Materials and/or Files Included:

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Date Received: _____ Signed By: _____

Title: _____

Public Counsel Data Request

No. 118

MISSOURI-AMERICAN WATER COMPANY

CASE NO. WR-2000-281

REQUESTED BY: Hong Hu

REQUESTED FROM: Dean Cooper

DATE OF REQUEST: January 12, 2000

REQUEST:

Please provide the actual amount of water consumption for each year for the period from 1989 to 1999, and the projected 2000 water consumption amount. Please provide the information for each customer class for each district as well as the total in each district.

THIS RESPONSE INCLUDES:

☐ Printed Materials _____ Total Pages ☐ Magnetic Media No. Disks or Tapes

Please number each page with **page / total** File Format for data:

List Printed Materials and/or Files Included:

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Date Received: _____ Signed By: _____

Title: _____

Attachment 11

**MISSOURI-AMERICAN WATER COMPANY
CASE NO. WR-2000-281**

PUBLIC COUNSEL DATA REQUEST

REQUESTED FROM: WILLIAM STOUT

DATE OF REQUEST: December 6, 1999

INFORMATION REQUESTED: What are next five major improvements in the Joplin and St. Charles districts that the Company believes are most likely and what will be the approximate costs for those major improvements? Please provide the Company's 5 or 10 year construction budget.

REQUESTED BY: HONG HU, Public Utility Economist

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present known facts to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

DATE RECEIVED: _____

SIGNED BY: _____

TITLE: _____

Attachment 12