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March 21, 2000

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Missouri Public
Service Commission

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

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

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 Motion to Suspend Procedural Schedule 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**

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

**OFFICE OF THE PUBLIC COUNSEL'S MOTION TO SUSPEND
PROCEDURAL SCHEDULE AND REQUEST FOR EXPEDITED
CONSIDERATION**

COMES NOW the Office of the Public Counsel (Public Counsel), and for its Motion to Suspend Procedural Schedule and Request for Expedited Consideration herein, states the following:

1. On February 23, 2000, Public Counsel, Missouri American Water Company (MAWC) and the Staff of the Public Service Commission (Staff) filed a Joint Stipulation and Agreement. The Stipulation, if approved by the Commission, would not result in any change in the rates charged for water or sewer service, or the revenues received by MAWC, nor would it change the design of MAWC's rates. The Stipulation provides, among other things, that MAWC would dismiss the instant cases and file new proposed tariff sheets initiating new cases no later than May 31, 2000.

2. On February 24, 2000, MAWC, Public Counsel and the Staff filed a Joint Motion to Modify Procedural Schedule, requesting that the Commission establish an expedited procedural schedule to consider the Stipulation, and that the March 20th and March 23rd due dates for the Staff, Public Counsel, and the intervenors' filed direct testimony be postponed for two weeks.

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3. On March 3, 2000, the Commission its Order Denying Rehearing and Concerning Accounting Authority Order, in which it stated that it would hold “the hearing mandated by Rule 4 CSR 240-2.115(2) on the non-unanimous Stipulation and Agreement filed herein,” at a date to be determined later.

4. On March 13, 2000, MAWC, Public Counsel and the Staff filed their Joint Suggestions in Opposition to Application for Rehearing of Order of March 3, 2000, and in Opposition to Joint Response in Partial Opposition to Joint Motion to Modify Procedural Schedule. In that pleading, the three filing parties requested that the Commission promptly issue an Order regarding the procedural schedule in these cases, by March 17 if possible.

5. On March 14, 2000, the Commission issued its Order Extending Time for Filing Direct Testimony in response to the February 24th Joint Motion to Modify Procedural Schedule. In that Order, the Commission granted the Movants’ request for a two-week delay in the deadlines for direct testimony, setting the deadlines at April 3 and April 6 (all testimony except rate design, and rate design, respectively).

6. Further, the Commission stated in its Order that “[f]urther requests for extensions necessitated by this extension will receive comparable consideration.”

7. To the best of Public Counsel’s knowledge and information, the Commission has not yet set a date for hearing the Stipulation and Agreement.

8. Public Counsel urges the Commission to suspend the procedural schedule in the instant cases until such time as it has ruled on the Stipulation and Agreement.

9. Public Counsel urges the Commission to do this as soon as possible because currently, valuable Public Counsel, Staff, company and intervenor resources are

being spent preparing for two different cases at the same time regarding the same rate increase request.

10. Additionally, if the Commission approves the Joint Stipulation and Agreement, MAWC will be required to withdraw the tariffs currently on file and file new revised tariffs to initiate new cases by May 31, 2000. In the Joint Suggestions filed on March 13, MAWC requests that if the Stipulation is approved it should be given an effective date of on or before April 30, 2000, so that the new cases can be prepared for filing.

In order to accomplish this, the Commission would have to hold its evidentiary hearing on the Stipulation and Agreement in early April.

11. In order that the parties may have adequate time to prepare for an expedited hearing regarding the Stipulation, Public Counsel hereby urgently requests that the Commission issue its Order forthwith, suspending the current procedural schedule and setting a hearing date for the Stipulation and Agreement.

12. Because of the important timing issues addressed in this Motion, Public Counsel requests that it be given expedited consideration.

WHEREFORE, Public Counsel requests that the Commission:

- a. issue its Order suspending the current procedural schedule in these cases;
- b. set a date for the evidentiary hearing on the Joint Stipulation and Agreement filed in these cases; and
- c. consider this Motion expeditiously;

d. and for such other and further orders as the Commission deems just and reasonable under the circumstances.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL



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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 date, March 21, 2000.



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Case No. WR-2000-281
March 21, 2000**

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