

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

In the Matter of the Joint Application of)		
Missouri-American Water Company and)		
Roark Water & Sewer, Inc. for Authority)	File No.	WO-2011-0213
for Missouri-American Water Company)		SO-2011-0214
to Acquire Certain Assets of Roark Water &)		
Sewer, Inc. and, in Connection Therewith,)		
Certain Other Related Transactions.)		

STAFF’S MOTION FOR CLARIFICATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and requests that the Missouri Public Service Commission (Commission) cancel Roark Water & Sewer, Inc.’s certificate of convenience and necessity currently on file with the Commission. In support of this *Motion for Clarification*, Staff states as follows:

1. On April 27, 2011, the Commission issued an *Order Granting Applications to Transfer Assets, Approving Stipulation and Agreement, and Granting Waiver*, which included that “Missouri-American Water Company (MAWC) is authorized to acquire the assets of Roark Water & Sewer, Inc. (Company), identified in the Joint Applications, including the certificates of convenience and necessity held by Roark Water and Sewer, Inc.”

2. On August 10, 2011, the Commission issued an *Order Approving Tariffs*, with an effective date of August 12, 2011. The Commission further ordered these cases to be closed on August 13, 2011.

3. As a result of the above-mentioned *Orders* and the transfer of assets that occurred on July 29, 2011¹, Roark Water & Sewer, Inc. is not currently providing water or sewer service and should no longer be a regulated entity. As a matter of clarification for the Commission’s

¹ On August 2, 2011 MAWC notified the Commission that the assets had been transferred on July 29, 2011.

Data Center, Staff counsel requests that the Commission issue an Order directing the cancellation of Roark Water & Sewer, Inc.'s certificates of convenience and necessity.

4. In the alternative, Staff requests the Commission require Roark Water & Sewer, Inc. to make a filing seeking relief from its obligation to provide service under the current certificates of convenience and necessity.

WHEREFORE, Staff respectfully submits this *Motion for Clarification* for the Commission's information and consideration and respectfully requests the Commission cancel Roark Water & Sewer Inc.'s certificates of convenience and necessity or, in the alternative, to order the Company to file permission to be relieved of its obligations under the current certificates of convenience and necessity.

Respectfully submitted,

/s/ Rachel M. Lewis
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or electronic mail to all counsel of record on this 18th day of August, 2011.

/s/ Rachel M. Lewis