

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

In the Matter of Missouri-American Water)
Company for a Certificate of Convenience)
and Necessity Authorizing it to Install, Own,)
Acquire, Construct, Operate, Control,) **File No. WA-2022-0311**
Manage and Maintain a Water System and)
Sewer System in and around the City of)
Stewartsville, Missouri)

RESPONSE TO STAFF’S REQUESTED EXTENSION OF 90 DAYS

COMES NOW Missouri-American Water Company (“MAWC”) and as its *Response to Staff’s Requested Extension of 90 Days*, states as follows to the Missouri Public Service Commission (“Commission”):

1. On May 10, 2022, MAWC filed an application that seeks permission and approval for certificates of convenience and necessity associated with the acquisition of a water system and sewer system in and around the City of Stewartsville, Missouri, located in DeKalb and Clinton Counties.

2. On May 11, 2022, the Commission issued its *Order Directing Notice, Setting Deadlines for Intervention Requests, and Directing Staff Recommendation* that, in part, directed Staff to file a recommendation regarding the application, or a request for additional time, on or before June 27, 2022.

3. On June 24, 2022, Staff filed a request for an additional 90 days to file its recommendation. The Commission subsequently issued its *Order Directing Responses to Staff’s Requested Extension of 90 Days* on the same date, ordering any responses to Staff’s request be filed no later than July 8, 2022.

4. MAWC respectfully states that if an extension is necessary, an extension of 45 days is more appropriate due to the time the case has already been pending, the public's vote of approval to transfer the system to MAWC, and the limited issues to be decided in this case.

5. As stated above, MAWC filed this case on May 10, 2022. The Staff has had the opportunity to review the limited issues in this case and request discovery over the last 45 days since filing. An extension of another 45 days should provide adequate opportunity for the Staff to request and review any additional information necessary.

6. Further, the citizens of Stewartsville have expressed their desire to sell the municipal water system and sewer system to MAWC. MAWC and the City of Stewartsville conducted a very open process that culminated in the public vote required by statute. An election was held on November 2, 2021 with 90% of the votes in favor of Stewartsville selling its water and sewer systems to MAWC (180 total votes were cast, of which 162 voted "yes" and 18 voted "no"). A Purchase Agreement was negotiated and executed with the City's elected officials thereafter. Any extensions before the Commission will also extend the time before the will of the people to transfer of the system to MAWC can be carried out.

7. Additionally, MAWC believes that a shorter extension of 45 days is more appropriate given the limited issues in this case. Staff's request for an extension states that it may need to request additional discovery from MAWC. If Staff needs additional information, MAWC agrees to voluntarily expedite responses to data requests to 10 calendar days in order for Staff to provide its recommendation within the 45 day extension.

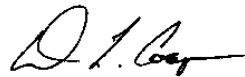
8. MAWC is also aware that the Office of the Public Counsel ("OPC") has stated the need for additional information within its *Motion for Notice and Local Public Hearing* ("*Motion*"). MAWC responded to OPC's *Motion* on June 30, 2022. As stated in its response,

MAWC believes the questions expressed by OPC in its *Motion* are best answered within the discovery process provided for in this case. If a 45 day extension is granted to Staff, OPC can also request any additional information it seeks, or engage in discussions with the City of Stewartsville personnel to answer its questions.

9. MAWC believes that a local public hearing is not necessary in this case because of the volume and nature of the communications with elected officials and residents that preceded the filing of the application in this case (to include two Town Hall meetings), as well as the overwhelming support for the transaction that was evident from the favorable vote of 90% of the voters. However, should the Commission decide to hold a local public hearing, MAWC asks that such hearing be held virtually so as to make the most efficient use of resources possible, and that such hearing be scheduled within the 45 day extension for the filing of Staff's recommendation in this case so that the process is not further delayed.

WHEREFORE, MAWC respectfully requests that the Commission consider this *Response to Staff's Requested Extension of 90 Days* and limit any further extension of the filing of Staff's recommendation to an additional 45 days.

Respectfully submitted,



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**ATTORNEYS FOR MISSOURI-AMERICAN
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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 8th day of July 2022 to all counsel of record.

