

Commissioners

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February 24, 2000

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Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
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Jefferson City, MO 65102

RE: **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 TO MODIFY PROCEDURAL SCHEDULE**.

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
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KK/jb
Enclosure
cc: Counsel of Record

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

FEB 24 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 Service Provided to)
Customers in the Missouri Service Area of)
the Company)

Case No. WR-2000-281

JOINT MOTION TO MODIFY PROCEDURAL SCHEDULE

COME NOW Missouri-American Water Company ("MAWC" or "Company"), the Staff of the Missouri Public Service Commission ("Staff"), and the Office of the Public Counsel ("OPC") (collectively referred to herein as "Joint Movants") and for their Joint Motion to Modify Procedural Schedule state to the Missouri Public Service Commission ("Commission") as follows.

1. On December 27, 1999, the Commission issued its Order Adopting Procedural Schedule in these cases. That order provided, in part, that direct testimony on all issues other than rate design for Staff, Public Counsel and Intervenor is due March 20, 2000, and that direct testimony regarding rate design for Staff, Public Counsel and Intervenor is due March 23, 2000.

2. On February 22, 2000, the Joint Movants filed a nonunanimous Stipulation and Agreement ("Stipulation") and served a copy thereof on each of the other parties to the instant cases. The Joint Movants also served notice of the filing on the other parties to the instant cases on February 24, 2000, by both fax and by regular mail. That Stipulation provided, in part, for the following: (a) the disposition of the instant cases; (b) the filing of new permanent rate cases by the Company; (c) the filing of a permanent rate case by the Company's affiliate St. Louis County

Water Company ("County Water"); and (d) the filing of another case in which County Water would seek to merge with the Company.

3. The other parties to the instant cases, namely the City of Joplin, Missouri, the City of Warrensburg, Missouri, the City of O'Fallon, Missouri, the City of Weldon Spring, Missouri, the City of Mexico, Missouri, Public Water Supply District Nos. 1 and 2 of Andrew County, Missouri, Public Water Supply District No. 1 of DeKalb County, Missouri, Public Water Supply District No. 1 of Buchanan County, Missouri, Ag Processing, Inc., a cooperative, Friskies Petcare, a division of Nestle USA, Wire Rope Corporation of America, Inc. and Public Water Supply District No. 2 of St. Charles County, Missouri, did not sign the said Stipulation. Additionally, the Joint Movants have not been informed and do not know whether any of the said parties will oppose the Stipulation, or whether they will request a hearing on the Stipulation.

4. Each of the Joint Movants shall file direct testimony in support of the Stipulation by no later than March 1, 2000.

5. If none of the parties files a timely request for a hearing on the Stipulation, Commission Rule 4 CSR 240-2.115(1) requires that the Commission treat it as a unanimous stipulation and agreement. In addition to the filing of direct testimony in support of the Stipulation and Agreement, the Staff shall file Suggestions in Support of the Stipulation and the Joint Movants propose to make themselves available for a presentation of the Stipulation to the Commission on the record. The Joint Movants request that any such on-the-record presentation to the Commission be held no later than March 16, 2000.

6. In the event that one (or more) of the parties to this case does request a hearing on the Stipulation, then the Joint Movants request that the Commission establish an expedited

procedural schedule to consider the Stipulation and Agreement. In such a situation, the Joint Movants request the following procedural schedule:

Direct testimony by Company, Staff and OPC in support of the Stipulation and Agreement	March 1, 2000
Rebuttal testimony in opposition to the Stipulation and Agreement	March 13, 2000
Surrebuttal testimony	March 20, 2000
Evidentiary hearing	March 23-24, 2000

7. The Joint Movants further request that, if there is an evidentiary hearing on the Stipulation, the Commission direct the parties to present oral arguments on the Stipulation at the conclusion of the hearing, in lieu of ordering written briefs. The Joint Movants believe that the issues regarding the Stipulation and Agreement can adequately be presented to the Commission through oral argument, and that this will enable the Commission to more promptly decide whether to approve the Stipulation.

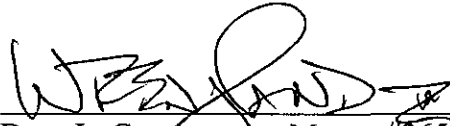
8. The Joint Movants further request that the Commission modify the procedural schedule for these cases by extending for two weeks the time by which the Staff, Public Counsel and Intervenors must file their direct testimony, so that direct testimony on all issues other than rate design would be due April 3, 2000 and direct testimony on rate design would be due April 6, 2000. Granting such a modification would be beneficial to all parties and to the Commission, because it would allow the parties to give their full attention to the presentation of the Stipulation and Agreement to the Commission, before doing the final work on their direct testimony, and because it will not be necessary to file direct testimony if the Commission approves the Stipulation and Agreement.

9. The Joint Movants request that the Commission consider this Joint Motion on an expedited basis, so that if it is granted the Company and County Water can begin preparation for the new rate cases and the merger case that they will be required to file.

10. The Stipulation and Agreement is nonunanimous. If any party requests a hearing on the Stipulation and Agreement, the Commission must grant the hearing and conduct the hearing in accordance with its rules of procedure, pursuant to 4 CSR 240-2.115(2). The Joint Movants expect that one or more of the nonsignatory parties may request a hearing on the Stipulation and Agreement, and that it will therefore be necessary to conduct an evidentiary hearing. As noted above, each of the Joint Movants shall file direct testimony in support of the Stipulation and Agreement by no later than March 1, 2000, regardless of whether any party requests a hearing. Thus the Joint Movants believe that the Commission will be fully informed of the issues surrounding the Stipulation and Agreement and have omitted from the Stipulation and Agreement any language specifically pertaining to the filing of testimony or a memorandum in support of the Stipulation and Agreement.

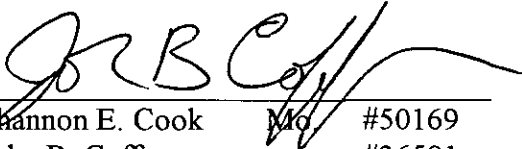
WHEREFORE, the Joint Movants request that the Commission modify the procedural schedule for the instant cases as set forth in the foregoing paragraphs.

Respectfully submitted,



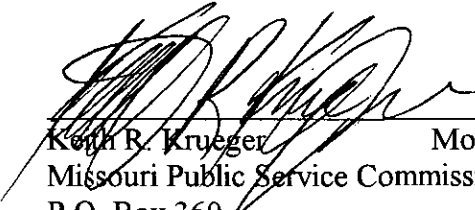
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Certificate of Service

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 24th day of February 2000.



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Case No. WR-2000-281
February 24, 2000**

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