

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

<b>In the Matter of the Application of</b>	)	
<b>Missouri-American Water Company for</b>	)	
<b>the Approval of an Agreement with the</b>	)	
<b>City of Kirkwood, Missouri, to Construct</b>	)	<b>Case No.: WO-2005-0286</b>
<b>Transmission Mains and Points of</b>	)	
<b>Delivery and to Sell and Deliver Water for</b>	)	
<b>Resale and Related Tariff Sheets</b>	)	

**OPPOSITION OF MISSOURI-AMERICAN WATER  
COMPANY TO MOTION FOR LOCAL PUBLIC HEARING**

Missouri-American Water Company states the following in opposition to the Motion for Local Public Hearing filed by the Office of the Public Counsel:

1. The Office of the Public Counsel filed a Motion for a Local Public Hearing mainly in response to the request of Mr. Edmond R. Ciarniello, Jr. to intervene in these proceedings in order to present a report to the Commission.
2. The Commission denied Mr. Ciarniello’s application to intervene on March 31, 2005.
3. While the Office of the Public Counsel states that Mr. Ciarniello’s proposal “could be easily presented in the local public hearing context,” a better use of the Commission’s scarce resources would be for the Office of the Public Counsel to meet with Mr. Ciarniello and determine the facts and opinions that he wishes to bring before the Commission. The Office of the Public Counsel can then make an appropriate filing with the Commission to bring these matters to the attention of all parties, as well as the Commission, without the necessity of the expense and time to schedule and conduct a local public hearing in the St. Louis area.

4. The application in this case asks for approval of an agreement between Missouri-American Water Company and the City of Kirkwood to construct certain transmission mains and points of delivery, and to sell and deliver water for resale. These are not issues typically dealt with in a local public hearing, which is usually reserved for cases having direct impact on rates, quality of service and reliability.

Wherefore, Missouri-American Water Company requests that the motion for local public hearing be denied.

Respectfully submitted

/s/ Mary G. Sullivan

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was sent by U.S. Mail, first-class postage pre-paid, this 6<sup>th</sup> day of April, 2005, to:

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