

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

In the Matter of Missouri-American Water)
Company for Certificates of Convenience and)
Necessity Authorizing it to Install, Own, Acquire) Case No. SA-2019-0183
Construct, Operate Control, Manage and)
Maintain a Sewer System in an Area of Clinton)
County, Missouri (Timber Springs Estates))

**THE OFFICE OF THE PUBLIC COUNSEL’S SECOND RESPONSE
TO STAFF’S FEBRUARY 11 RECOMMENDATION**

COMES NOW the Office of the Public Counsel (Public Counsel) and in Response to the Commission Staff’s (Staff) Recommendation states:

1. Public Counsel has reviewed the filing and generally supports Missouri American Water Company’s (MAWC) request for a Certificate of Convenience and Necessity (CCN) to serve an area in Clinton County currently managed by a non-regulated homeowners association.
2. Public Counsel’s concern, however, is that MAWC “requests an approved service area that extends well beyond the Timber Springs subdivision.” (Staff Memo at p. 2) The area includes two other existing sewage treatment facilities . . . one of which MAWC may purchase in the future.” *Id.*
3. To address these concerns, Public Counsel has been in discussions with Counsel for MAWC and is satisfied that: 1) MAWC is not pursuing purchase of the two, exceedingly small sewer systems just north of Timber Creek; and 2) MAWC is not installing any new facilities, meaning that it does not require county assent to use the publicly maintained roads in its service area, and 3) it is unlikely there will be any additional residential construction in this area.

WHEREFORE Public Counsel does not oppose Commission approval as supported by the February 11 *Staff Recommendation* stating that the Commission should grant MAWC a Certificate of Convenience and Necessity to provide sewer service to the requested service area.

Respectfully submitted,

OFFICE OF PUBLIC COUNSEL

By: /s/Lera Shemwell

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CERTIFICATE OF SERVICE

On this 4th day of March, 2019, I hereby certify that a true and correct copy of the foregoing motion was submitted to all relevant parties by depositing this motion into the Commission's Electronic Filing Information System ("EFIS").

/s/ Lera Shemwell

