

**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, Manage and	)	File No. WA-2019-0070
Maintain A Water System in an area of Stone	)	
County, Missouri, within the City Limits of	)	
Kimberling City (Golden Acres Subdivision)	)	

**NOTICE OF DISMISSAL**

**COMES NOW** Missouri-American Water Company (MAWC) pursuant to Missouri Public Service Commission (“Commission”) Rule 4 CSR 240-2.116(1), and states the following to the Commission as its *Notice of Dismissal*:

1. On September 11, 2018, MAWC filed an *Application and, If Necessary, Motion for Waiver* in this matter. By the Application, MAWC requested a certificate of convenience and necessity from the Commission to provide water service in the Golden Acres subdivision utilizing a water system to be purchased from the City of Kimberling City.

2. Appendix A and Appendix B to the Application provided a map and legal description of the requested service territory, respectively.

3. After discussion with the Staff of the Commission and further review, it has been confirmed that the Golden Acres subdivision is located in a part of MAWC’s existing service territory known as the Woodland Manor Service Area. A map and legal description of that certificated service area is found on P.S.C. MO NO. 13, Original Sheets Nos. CA17.1 and CA 17.2.

4. Because Kimberling City is a municipality and Golden Acres was not a regulated public utility, Kimberling City obtained the permission it needed to sell the system MAWC by

the election held on April 4, 2017. Moreover, no statute requires MAWC to obtain permission to acquire assets within its existing service territory. Accordingly, MAWC will dismiss the subject application.

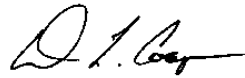
5. Commission Rule 4 CSR 240-2.116(1) states that “An applicant . . . may voluntarily dismiss an application . . . without an order of the commission at any time before prepared testimony has been filed or oral evidence has been offered, by filing a notice of dismissal with the commission and serving a copy on all parties.”

6. Prepared testimony has not been filed in this case.

7. MAWC hereby provides its *Notice of Dismissal*.

WHEREFORE, MAWC respectfully requests that the Commission recognize this *Notice of Dismissal* pursuant to Commission Rule 4 CSR 240-2.116(1).

Respectfully submitted,



Dean L. Cooper      Mo. Bar 36592  
BRYDON, SWEARENGEN & ENGLAND P.C.  
312 East Capitol Avenue  
P.O. Box 456  
Jefferson City, MO 65102-0456  
Telephone: (573) 635-7166  
Facsimile: (573) 635-0427  
[dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)

Timothy W. Luft, MBE #40506  
Corporate Counsel  
**MISSOURI-AMERICAN WATER COMPANY**  
727 Craig Road  
St. Louis, MO 63141  
(314) 996-2279 telephone  
(314) 997-2451 facsimile  
[timothy.luft@amwater.com](mailto:timothy.luft@amwater.com)

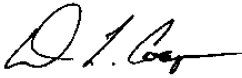
ATTORNEYS FOR MISSOURI-AMERICAN  
WATER COMPANY

## **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 4<sup>th</sup> day of October, 2018, to:

General Counsel's Office  
[staffcounsel@psc.mo.gov](mailto:staffcounsel@psc.mo.gov)

Office of the Public Counsel  
[opc@ded.mo.gov](mailto:opc@ded.mo.gov)



---