

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

In the Matter of Missouri-American Water)
Company's Request for Authority to)
Implement a General Rate Increase) Case No. WR-2010-0131
for Water and Sewer Service Provided in)
Missouri Service Areas)

**VERIFIED APPLICATION OF UWUA LOCAL 335
TO INTERVENE**

COMES NOW Utility Workers Union of America Local 335, AFL-CIO ("Local 335"), by counsel, and respectfully applies to this Commission for permission to intervene in this proceeding pursuant to 4 CSR 240-2.075. In support of this application, Local 335 states:

1. This matter involves an application filed by Missouri-American Water Company ("MAWC") requesting a general rate increase.
2. Local 335 is a labor organization that represents approximately 300 employees of MAWC in two bargaining units. Local 335 has two collective bargaining agreements with MAWC, one of which establishes the terms and conditions of employment for the clerical employees, and the other of which establishes the terms and conditions of employment for the "physical" employees. (The "physical" bargaining unit includes all MAWC's production, construction, maintenance, operation and distribution employees.)
3. Local 335 is an unincorporated association. However, since labor unions are not required to register their names as fictitious names with the Missouri Secretary of State, Local 335 does not have evidence of any such registration. Further, Local 335 does not have an office or place of business in any traditional sense. In general, persons

wishing to contact Local 335 may contact the union through its president at the address and telephone number listed here:

Tom Schneider
1911 Oaktree St.
St. Peters, MO 63376
(636) 278-0939

Since all Local 335 officers are employees of MAWC, the water company can easily contact them, and company-union business may be conducted at the water company's offices.

4. Though Local 335 is an "association," it does not seem to be the type of association to which 4 CSR 240-2.060(1)(J) and 4 CSR 240-2.075(3) are directed. It does not appear to be the intent of those regulatory subsections for Local 335 to file a list of all of its members, and Local 335 hereby respectfully requests a waiver of complying with said requirement. Should this Commission determine that Local 335 must comply with the subsection, the required list will be tendered immediately.

5. All correspondence, communications, orders, and decisions of the Commission here should be sent to:

Sherrie A. Schroder, MBN 40949
Michael A. Evans, MBN 58583
HAMMOND and SHINNERS, P.C.
7730 Carondelet Avenue, Suite 200
St. Louis, Missouri 63105
(314) 727-1015 (Telephone)
(314) 727-6804 (Fax)
saschroder@hammondshinners.com (E-mail)
mevans@hammondshinners.com (E-mail)

6. Local 335 does not have any pending actions or final unsatisfied judgments or decisions against it as contemplated by 4 CSR 240-2.060(1)(K).

7. Local 335 does not have any annual reports or assessment fees that are overdue.

8. Local 335 seeks permission to intervene in this matter pursuant to 4 CSR 240-2.075.

9. As the exclusive collective bargaining representative of certain of MAWC's non-managerial, non-professional employees, Local 335 and the employees it represents have interests in this proceeding which are clearly different from those of MAWC, the general public, or any other party. Where the public's interests here are concentrated in the dependable delivery of clean, untainted water at a reasonable cost, Local 335 and the employees it represents are additionally concerned with the impact the proposed general rate increase could have on jobs, pensions, and other terms and conditions of employment. These separate interests could be adversely affected by a final order arising from the case.

10. No other party to this proceeding can adequately represent the additional, legitimate concerns of Local 335 and the employees it represents here.

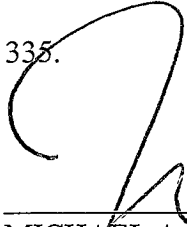
WHEREFORE, USW Local 335 respectfully asks the Commission to grant this application and to permit Local 335 to intervene here.

Respectfully submitted,

/s/ Michael A. Evans
SHERRIE A. SCHRODER, MBN 40949
MICHAEL A. EVANS, MBN 58583
HAMMOND and SHINNERS, P.C.
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Attorneys for USW Local 335

VERIFICATION

COMES NOW Michael A. Evans and upon his oath states that he is a licensed attorney in good standing in Missouri, that he is familiar with the matters set forth in this application, and that the matters alleged are true and correct to the best of his knowledge, information, and belief. Mr. Evans further states that he has been authorized to sign and file this application on behalf of USW Local 335.



MICHAEL A. EVANS

Subscribed and sworn to before me this 2nd day of November, 2009.

My Commission Expires:



Notary Public



MELANIE E. WILHELM
My Commission Expires
February 28, 2011
St. Louis County
Commission #07017667

Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was served on November 2, 2009, by United States mail, hand-deliver, email, or facsimile upon all parties by their attorneys of record as disclosed by the pleadings and orders herein.

/s/ Michael A. Evans