

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

In the Matter of the Application of Missouri )  
American Water Company for an Accounting )  
Authority Order Authorizing It to Defer and )  
Accumulate Costs and Financial Impacts Related )  
To COVID-19 )

File No. WU-2020-0417

**APPLICATION TO INTERVENE FOR CITY OF RIVERSIDE, MISSOURI**  
**OUT OF TIME**

**COMES NOW**, the City of Riverside, Missouri (“Riverside”), a fourth class city, by and through undersigned counsel and pursuant to 4 C.S.R. 240-2.075 of the Rules of Practice and Procedure, and respectfully applies to intervene as a party in the above-referenced case out of time. In support of this application, Riverside offers the following suggestions in support thereof:

1. Riverside is a fourth class city located in the County of Platte, State of Missouri, and as such is a customer within the Platte County service area of Missouri-American Water Company (“MAWC”), as are the citizens and businesses of Riverside whose health, safety and welfare interests it would also represent in this case.
2. The City has a police power interest in MAWC’s exercise of its duties and obligations that is different from the interest of the general public.
3. In addition, the City also has an interest in the welfare of its citizens, who receive their water service from MAWC, which is different from the interest of the general public.
4. The City Hall is located at 2950 NW Vivion Road, Riverside, MO 64150.
5. The Missouri Public Service Commission has previously recognized Riverside’s interest in proceedings affecting the rates for water service in the MAWC Platte County District in permitting Riverside’s intervention in prior MAWC rate-related proceedings, including File No.

WR-2010-0131, File No. WR-2011-0337, File No. WR-2015-0301, Case No. WR-2017-0285, and Case No. SR-2017-0286.

6. All communications, correspondence, orders, decisions and pleadings in this docket should be directed to:

Joseph P. Bednar, Jr.  
Spencer Fane LLP  
304 East High Street  
Jefferson City, MO 65101  
Telephone: (573) 634-8116  
Facsimile: (573) 634-8140  
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7. This case arose when MAWC submitted an application for an accounting authority order to permit it to accumulate and defer to a regulatory asset for consideration of recovery in future rate case proceedings all extraordinary costs as a result of the COVID 19 pandemic..

8. On June 26, 2020, the Commission issued an Order Directing Notice and Setting Deadline for Intervention Applications directing that interested parties wishing to intervene must do so on or before July 16, 2020. Thus, intervention is being sought out of time.

9. Undersigned counsel inadvertently missed the intervention deadline date due to multiple deadlines he had to meet for yesterday, today and Monday. This was the result of a genuine mistake and was not the result of any intent to delay or prejudice this proceeding. If granted leave to file this intervention out of time, Riverside and undersigned counsel is prepared to meet all deadlines and actively participant in the timely disposition of this proceeding.

10. MAWC is not opposed to the Commission granting this Application out of time.

11. As part of its inherent authority, the Commission may grant relief from deadlines or otherwise allow filings out of time when they serve the public interest. Specifically, 20 CSR

4240-2.050(3)(B) the Commission may allow a filing out of time, “when the failure to act was the result of excusable neglect or for other good cause shown.”

12. Riverside seeks to intervene in this rate case proceeding to serve the public interest and assist the Commission in navigating an unprecedented public policy issue related to ongoing COVID-19 pandemic.

13. Riverside is interested in the impact of any decisions in this proceeding on behalf of itself and its residents and businesses, and can provide the Commission with a unique perspective of the pandemic’s impact on local governments and businesses.

14. It desires to participate fully in this proceeding including hearing and the briefing of the issues.

15. Given the expedited nature of this proceeding, granting this intervention out of time would serve the public interest.

16. At this time, Riverside is reviewing MAWC’s direct testimony and initial pleadings, and is uncertain of the position it will take in this matter.

17. The granting of the proposed intervention would serve the public interest.

18. Riverside’s interests are different from those of the general public and cannot be adequately represented by any other party, and it will serve the public interest if Riverside is permitted to intervene to protect its interests.

WHEREFORE, for the foregoing reasons, Riverside, Missouri, respectfully requests that the Commission grant its Application to Intervene in this matter, and thereby entitle the City to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the arguments, and in all other respects fully participate in this proceeding.

Respectfully submitted,

/s/ Joseph P. Bednar, Jr.

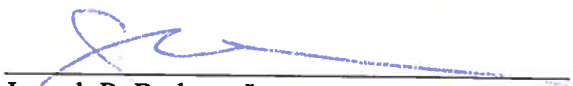
Joseph P. Bednar, Jr. #33921  
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ATTORNEY FOR CITY OF RIVERSIDE

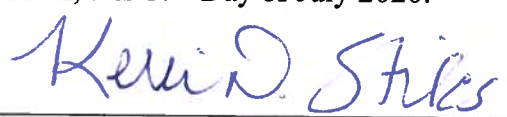
**ATTORNEY VERIFICATION**

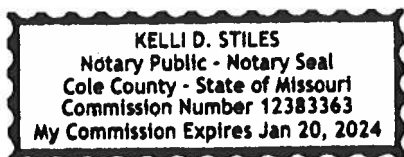
STATE OF MISSOURI     )  
                                  ) ss.  
COUNTY OF COLE     )

I, Joseph P. Bednar, Jr., being first duly sworn, do hereby certify, depose and state that I am the attorney for the City of Riverside, Missouri, which seeks intervention in the above-referenced proceeding before the Missouri Public Service Commission; that I have read the above and foregoing Application to Intervene Out of Time and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant to intervene.

  
\_\_\_\_\_  
Joseph P. Bednar, Jr.

Subscribed and sworn to before me, a Notary Public, this 17<sup>th</sup> Day of July 2020.

  
\_\_\_\_\_  
Notary Public for Cole County, MO  
M.C.E. 1-20-2024; Commission # 12383363



**Certificate of Service**

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served via the Public Service Commission's (PSC's) electronic filing system (EFIS), on this 17<sup>th</sup> Day of July 2020, upon all individuals, parties and intervenors and/or their counsel who have entered their appearances in this case on EFIS, and specifically upon the following:

*/s/ Joseph P. Bednar, Jr.*