

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

In the Matter of the Petition of)
Missouri- American Water Company for) File No. WO-2015-0211
Approval to Change its Infrastructure) YW-2015-0267
System Replacement Surcharge (ISRS).)

MOTION FOR RECONSIDERATION

COMES NOW Missouri-American Water Company (MAWC), and, in accordance with Missouri Public Service Commission (Commission) Rule 4 CSR 240-2.160, moves the Commission for reconsideration of an order issued on March 3, 2015:

1. On February 27, 2015, MAWC filed herein a Petition to Change Its Infrastructure System Replacement Surcharge, along with a proposed tariff sheet containing changed infrastructure system replacement surcharge (ISRS) rates (P.S.C. MO No. 13, 6th Revised Sheet No. RT 10, Canceling 5th Revised Sheet No. RT-10 -- Tracking No. YW-2015-0267 – the “Tariff Sheet”). The Tariff Sheet contained a proposed effective date of June 27, 2015 -- 120 days after the filing of the Petition and the Tariff Sheet.

2. On March 3, 2015, the Commission issued its Order Suspending Tariff, Setting Dates for Filing, and Directing Publication; and Notice of Contested Case (Order). Therein, among other things, the Commission suspended the Tariff Sheet for 120 days (from June 27, 2015, until October 25, 2015 – or 120 days beyond the 120 days MAWC provided by its choice of the proposed effective date).

3. As noted in the Order, Section 393.1006.2(3), RSMo, states that the “commission may hold a hearing on the petition and any associated rate schedules and shall issue an order to become effective not later than one hundred twenty days after the petition is filed.”

4. The effective date on the Tariff Sheet proposed by MAWC was selected to match this 120 day statutory period. As justification for the suspension of the Tariff Sheet, the Commission states that for it to carry out its statutory duties “may take longer than the tariff’s proposed effective date. Therefore, the Commission will suspend the tariff for 120 days beyond the tariff’s effective date.” (Order, p. 2) As is evident from the statute quoted above, the Commission does not have the authority to take longer than the proposed effective date of June 27, 2015, which is 120 days after the filing of the Petition.

5. Commission Rule 4 CSR 240-2.160(2) provides that motions for reconsideration may be filed within ten (10) days of the date the order is issued. Motions for reconsideration are to set forth the reasons that the movant considers the order to be unlawful, unjust, or unreasonable.

6. MAWC asserts that suspension of the Tariff Sheet beyond the 120 days required by Section 393.1006, RSMo, is unlawful, unjust, and unreasonable for the above reasons. Further, as recently as February 10, 2015, the Commission issued orders in regard to two other ISRS filings (Cases No. GO-2015-0178 and GO-2015-0179). Therein, the Commission suspended the proposed tariff sheets for a period of time equal to 120 days after the filing of the relevant petitions. It is unclear what is different about those matters that will allow the Commission to address them in 120 days, while requiring 240 days to address MAWC’s ISRS filing. This is especially so, since MAWC’s prior ISRS cases have been resolved within the 120 days provided by statute.

7. MAWC moves the Commission to reconsider the Order and, thereafter, withdraw that portion of the Order suspending the Tariff Sheet. The result of such action will provide the Commission with the 120 days permitted by Section 393.1006, to address this matter.

