

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

Marcia Eason,	)	
	)	
Complainant,	)	
v.	)	<b><u>File No. WC-2013-0010</u></b>
	)	
Missouri-American Water Company,	)	
	)	
Respondent.	)	

**NON-UNANIMOUS STIPULATION OF UNDISPUTED FACTS**

**COME NOW** the Staff of the Missouri Public Service Commission ("Staff"), by and through its undersigned counsel, and on behalf of Missouri-American Water Company, and stipulates that the following material facts are not in dispute and submits to the Missouri Public Service Commission ("Commission") the following *Non-unanimous Stipulation of Undisputed Facts*:

1. Ms. Marcia Eason ("Ms. Eason" or "Complainant") resides at 12059 Krenning Lane, St. Louis, St. Louis County, Missouri.
2. Missouri-American Water Company ("MAWC") is a public utility under the jurisdiction of the Public Service Commission of the State of Missouri. MAWC maintains a business address at 727 Craig Road, St. Louis, Missouri.
3. MAWC provides water service to the Complainant at her residential address.
4. On July 6, 2012, Complainant Ms. Eason filed a formal complaint against MAWC, complaining that her bill for water service was too high.

5. A professional plumber hired by Complainant reported “that meter only spins when water is run inside home indicating no water leaks” after his investigation on June 5, 2012, and Complainant’s plumber’s service order receipt was attached to Ms. Eason’s formal complaint filed on July 6, 2012.

6. Complainant’s February 2012 bill indicates 86,250 gallons of water passed through the water meter at Complainant’s residence during the period of November 2011 through February 2012.

7. On or about November 2009 and again on March 22, 2012, the Complainant’s old water meter was removed, replaced, and the replaced meter was tested. According to MAWC, the replaced meter tested within permissible limits at the high, medium, and low flow rates – 99.40%, 100.70%, and 98.00% respectively.

8. Staff filed its Investigation Report and Recommendation on October 5, 2012. Staff concluded that the bills rendered to Complainant by MAWC were accurate because its investigation disclosed no leaks and the meters tested within permissible limits.

9. During the pendency of the formal complaint, MAWC temporarily discontinued Complainant’s water service on December 12, 2012. Subsequently, Complainant amended her formal complaint to include this incident. In particular, Complainant disputed the charge for water wasted when her water service was restored because, when she arrived home that night, she found the kitchen faucet running full blast.

10. MAWC asserts that approximately 1 unit of water was used during the December 12, 2012, discontinuance/restoration of water service; and, Staff verified that

that maximum possible amount of water usage attributable to the faucet being left on would be 1,257 gallons at a tariff commodity rate of \$3.19101/1,000 gallons.

11. Parties have had an opportunity to review Staff's draft of stipulation of undisputed facts. Complainant, although duly provided with a draft hereof, has neither responded nor objected to the same. Staff has received permission from MAWC representatives to file this document on MAWC's behalf.

**WHEREFORE** Staff and MAWC tender this *Non-Unanimous Stipulation of Undisputed Facts* in satisfaction of the Commission's Order Approving Joint Proposed Procedural Schedule.

Respectfully submitted,

**/S/ TANYA K. ALM**

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all counsel of record this 22<sup>nd</sup> day of February, 2013.

**/S/ TANYA K. ALM**