

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

In the Matter of the Application and Petition )	
Of Missouri-American Water Company )	
Requesting the Commission Promulgate )	File No. WX-2013-0267
An Environmental Cost Adjustment )	
Mechanism For the Water Industry. )	

**MAWC RESPONSE TO STAFF’S RECOMMENDATION**

COMES NOW Missouri-American Water Company (MAWC) and, in response to Staff’s Recommendation for Opening a Working Docket, states as follows to the Missouri Public Service Commission (Commission):

1. On November 9, 2012, MAWC filed a petition asking the Commission to promulgate a rule to implement an environmental cost adjustment mechanism for the water industry. Thereafter, taking into account Section 536.041, RSMo,<sup>1</sup> and Rule 4 CSR 240-2.180<sup>2</sup>, the Commission directed Staff to investigate and recommend whether the Commission should proceed with a rulemaking.

2. On December 14, 2012, Staff filed a pleading entitled “Staff’s Recommendation for Opening a Working Docket” (Staff’s Recommendation). Therein, among other things, the Staff recommended that the Commission “proceed with the rulemaking process by opening a working docket to facilitate the process.” Staff further suggests that workshops be held on January 24, 2013, and February 28, 2013, for this purpose.

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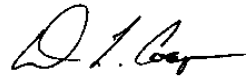
1 “. . . Within sixty days after the receipt of the petition, the agency shall submit a written response to the petitioner and copies of the response, in electronic format, to the joint committee on administrative rules and to the commissioner of administration, containing its determination whether such rule should be adopted, continued without change, amended, or rescinded, together with a concise summary of the state agency’s specific facts and findings with respect to the criteria set forth in subsection 4 of section 536.175. If the agency determines the rule merits adoption, amendment, or rescission, it shall initiate proceedings in accordance with the applicable requirements of this chapter. . . .”

2 “(3) The commission shall either deny the petition in writing, stating the reasons for its decision, or shall initiate

3. MAWC does not object to participating in a working docket in regard to this rule proposal on the dates identified by Staff. It would be MAWC's hope that this issue could be addressed one way or another without a great number of additional meetings. MAWC does not at this time take a position as to whether the working docket process is consistent with the requirements of Section 536.041, RSMo, and Rule 4 CSR 240-2.180.

**WHEREFORE**, MAWC respectfully requests that the Commission consider this Response and, thereafter, issue such orders as it shall find to be reasonable and just.

Respectfully submitted,



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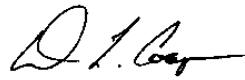
**ATTORNEYS FOR MISSOURI-AMERICAN  
WATER COMPANY**

## CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail or by U.S. Mail, postage prepaid, on December 20, 2012, to the following:

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