

**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-2017-0297
Approval to Establish an Infrastructure)
System Replacement Surcharge (ISRS).)

**MOTION FOR EXTENSION OF TIME, AND,
TO THE EXTENT REQUIRED, REQUEST FOR VARIANCE,
AND MOTION FOR EXPEDITED TREATMENT**

COMES NOW Missouri-American Water Company (“MAWC”), by and through counsel, and hereby requests a two-week extension of time for the submission of the Staff Report, and, to the extent required, a variance from a portion of Rule 4 CSR 240-3.650, and expedited treatment, in connection therewith. In this regard, MAWC respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. RSMo. §§393.1000, 393.1003 and 393.1006 and Commission Rule 4 CSR 240-3.650 provide eligible water corporations with the ability to recover certain infrastructure system replacement costs outside of a formal rate case filing via an Infrastructure System Replacement Surcharge (“ISRS”). A petition must be filed with the Commission for review and approval before an adjustment may be made to a water corporation’s rates. A petition in this regard was filed by MAWC on May 15, 2017, to initiate the instant proceeding.

2. On May 16, 2017, the Commission issued its *Order Directing Notice, Setting Intervention Deadline, and Directing Filing* (the “Order”). As noted in the Order, pursuant to RSMo. §393.1006.2(3), the Commission must act on MAWC’s petition by September 12, 2017.

3. RSMo. §393.1006.2(2) allows the Staff of the Commission to examine MAWC’s petition and states that Staff “*may* submit a report regarding its examination to the commission not later than sixty days after the petition is filed.” (emphasis added) Commission Rule 3.650(11)

also provides that Staff “*may* submit a report regarding its examination to the commission not later than sixty (60) days after the eligible water utility files its petition.” (emphasis added) Both the statute and the rule are permissive in nature with regard to whether or not Staff files a report, but it is unclear to MAWC if the Commission, by rule, intended to make the date by which the Staff files any such report mandatory. In the Order, the Commission directed Staff to file its report no later than July 14, 2017, sixty days after the date the petition was filed by MAWC.

4. MAWC has been working diligently to provide Staff with the information necessary in order for Staff to conduct its investigation and prepare its report as directed. Estimated cost data was previously provided by MAWC for expenditures for the month of June, but MAWC will not be able to provide all actual cost information and supporting documentation to Staff regarding June expenditures until approximately July 10. Because of the closeness of that date to the Staff’s report date of July 14, MAWC requests that Staff be granted a two-week extension of time (until July 28, 2017) for the filing of this Staff Report.

5. No harm should result to MAWC’s ratepayers, Staff, or any other party to this proceeding as a result of the requested extension of time being granted. MAWC is not requesting the extension of any other deadlines established herein by statute, rule, or order. If Staff is given until July 28 to file its report, an extension of two weeks, 46 days will remain within the 120-day timeframe for the processing of MAWC’s petition. Similar extensions were granted in prior MAWC ISRS Files Nos. WO-2014-0237 and WO-2015-0059.¹

6. If the requested extension of time is granted, MAWC submits that Staff will be able to conduct a more thorough review of MAWC’s petition and supporting documentation,

¹ *Order Granting Staff’s Motion for Extension of Time to File*, File WO-2014-0237 (April 1, 2014); and *Order Granting Extension of Time to File Staff Report*, File No. WO-2015-0059 (October 8, 2014).

while still fulfilling the purpose of the ISRS statute, thus proving good cause and rendering the request in the public interest.

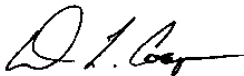
7. Counsel for the Staff has indicated that Staff has no objection to the requested extension.

MOTION FOR EXPEDITED TREATMENT

8. As stated above, MAWC seeks extension of a deadline currently set at July 14, 2017. To provide the parties with a Commission ruling as to this request sufficiently ahead of July 14 to allow the parties to conform their actions with the ultimate due date, MAWC moves the Commission to expedite its processing.

WHEREFORE, MAWC respectfully requests that the Commission issue an order granting the Motion For Expedited Treatment, extending the date for the filing of Staff's Report to July 28, 2017, and, to the extent deemed necessary by the Commission, granting a variance from the deadline portion of Rule 3.650(11). MAWC requests such further relief as is just and proper under the circumstances.

Respectfully submitted,



Dean L. Cooper MBE#36592
BRYDON, SWEARENGEN & ENGLAND P.C.
312 E. Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102
(573) 635-7166
dcooper@brydonlaw.com

Timothy W. Luft, MBE #40506
Corporate Counsel
**MISSOURI-AMERICAN WATER
COMPANY**
727 Craig Road
St. Louis, MO 63141
(314) 996-2279 telephone
(314) 997-2451 facsimile
timothy.luft@amwater.com

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 June 30, 2017, to the following:

Jacob Westen
Office of the General Counsel
Governor Office Building
Jefferson City, MO 65101
staffcounsel@psc.mo.gov
jacob.westen@psc.mo.gov

Office of the Public Counsel
Governor Office Building
Jefferson City, MO 65101
opcservice@ded.mo.gov

Edward F. Downey
Lewis R. Mills
Bryan Cave, LLP
efdowney@bryancave.com
lewis.mills@bryancave.com

