

**Appendix B**

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

The Office of the Public Counsel, )  
an agency of the State of Missouri, )  
COMPLAINANT )

v. )

**Case No.** \_\_\_\_\_

)  
Missouri-American Water Company, )  
a Missouri regulated water and sewer )  
corporation, )  
RESPONDENT )

**THE OFFICE OF THE PUBLIC COUNSEL’S COMPLAINT**

COMES NOW the Office of the Public Counsel and for its Complaint, pursuant to Section 386.330.2, RSMo, states as follows:

1. The Office of the Public Counsel is an agency of the State of Missouri and pursuant to the statutory authority in Sections 386.700 and 386.710, RSMo, represents the public in all proceedings before the Missouri Public Service Commission and on appeal before the courts. The mailing and business address is Office of the Public Counsel, PO Box 2230, Governor Office Building, 200 Madison Street, Suite 650, Jefferson City, Missouri, 65102. Public Counsel is authorized to file complaints against regulated utilities for the violation, or claimed violation, of any provision of law, or of any rule or order or regulation, or decision of the Missouri Public Service Commission, including the reasonableness of any billing practices regarding rates or charges of any water or sewer corporation as allowed and authorized by the Missouri Public Service Commission. Section 386.390, RSMo, and 4 CSR 240-2.070.

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2. Missouri American Water Company, Inc. is a utility regulated by the Missouri Public Service Commission under Chapters 386 and 393, RSMo, to provide water and sewer service. The mailing address of Missouri American Water Company is 727 Craig Road, St. Louis, Missouri, 63141.

3. The Missouri Public Service Commission is a state administrative agency with the power and duty to regulate public utilities, including water and sewer corporations under Chapters 386 and 393, RSMo, and has jurisdiction in this complaint case to hear and decide Public Counsel's allegations of unreasonable billing practices regarding rates or charges. Section 386.250, RSMo, relating to the jurisdiction of the Missouri Public Service Commission over water and sewer systems; Section 393.140, RSMo, relating to the general powers of the Missouri Public Service Commission with respect to water and sewer services; Section 393.270, RSMo, providing for notice and hearing and the fixing of prices for water and sewer services and improvements; and 4 CSR 240, Chapter 13, relating to service and billing practices for residential customers of water utilities. This Complaint is filed pursuant to Section 386.390, RSMo, and the Missouri Public Service Commission's rule regarding complaint cases, 4 CSR 240-2.070. The mailing address of the Missouri Public Service Commission is PO Box 360, Governor Office Building, 200 Madison Street, Jefferson City, Missouri, 65102.

### **COUNT I**

#### **ALLEGATIONS OF UNJUST AND UNREASONABLE BILLING PRACTICES.**

4. The Office of the Public Counsel restates the allegations set forth in paragraphs 1 through and including 3 of its Complaint.

5. The Office of the Public Counsel has reviewed numerous formal customer complaints recently filed with the Missouri Public Service Commission. (Attachment A) Based on its

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information, knowledge and belief, the Office of the Public Counsel states that Missouri American Water Company's current billing practices for water and sewer rates and charges are unjust and unreasonable in that numerous customers are being subjected to incorrect and grossly inflated bills for water and sewer service in violation of the rates or charges allowed and authorized by the Missouri Public Service Commission.

**WHEREFORE**, Public Counsel submits its Complaint, pursuant to Section 386.390, RSMo, and prays that:

- (1) the Missouri Public Service Commission issue an order to provide the statutory notice of the filing of this Complaint and thereafter, hold an evidentiary hearing on the Complaint in accordance with the statutes and the Missouri Public Service Commission rules, and;
- (2) the Missouri Public Service Commission issue an order in favor of the Office of the Public Counsel and against Missouri American Water Company on each Count of this Complaint, and;
- (3) the Missouri Public Service Commission make findings of fact accompanied by conclusions of law that Missouri American Water Company's current water and sewer billing practices are unjust and unreasonable in that the customers are being subjected to incorrect and grossly inflated bills for water and sewer service in violation of the rates or charges allowed and authorized by the Missouri Public Service Commission, and;
- (4) the Missouri Public Service Commission issue an order directing Missouri American Water Company to implement just and reasonable billing practices for the collection of the rates or charges allowed and authorized by the Missouri Public Service Commission, and to otherwise implement the Missouri Public Service Commission's decision in this Complaint, and;

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(5) the Missouri Public Service Commission grant such further and additional relief as it deems appropriate and necessary.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

**/s/ Christina L. Baker**

By: \_\_\_\_\_

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 13<sup>th</sup> day of November, 2013:

General Counsel Office  
Missouri Public Service Commission  
200 Madison Street, Suite 800  
PO Box 360  
Jefferson City, MO 65102  
GenCounsel@psc.mo.gov

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St. Louis, MO 63141  
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**/s/ Christina L. Baker**

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