

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

Harold L. Denham,	)	
	)	
	Complainant,	)
v.	)	<u>Case No. WC-2000-356</u>
	)	
Missouri-American Water Company,	)	
	)	
	Respondent.	)

**ORDER DIRECTING FILING AND STAFF REVIEW AND REPORT**

On December 3, 1999, Harold L. Denham filed a complaint against the Missouri-American Water Company (MAWC) regarding service in St. Joseph, Missouri. The complaint disputes a billing regarding a service connection fee for \$20.00 charged to a residential account in Mr. Denham's name, number 320-7505796-08 4. Mr. Denham disputes the applicability of the \$20.00 connection fee because no "connection was actually made" in that this account had an automatic transfer feature to avoid a disconnection or discontinuation of the water supply. Mr. Denham has requested a refund of the \$20.00 connection fee.

On January 14, 2000, MAWC filed its answer to the complaint. Based on the complaint and the answer there is no dispute that a \$20.00 connection fee was charged and that this account had an automatic transfer feature. Mr. Denham alleges, but MAWC did not specifically admit, that the water supply was not disconnected, although this appears to be the case. Mr. Denham alleges (in his attachments) that the \$20.00 fee was paid. MAWC did not specifically

admit that the service connection fee was paid, although this appears to be the case.

If service was not disconnected and the fee was paid, then this dispute centers on whether the service connection fee is authorized by MAWC's tariff when the water supply has not been disconnected or discontinued and there is merely a transfer of the account.

In its answer, MAWC presented a partial quote of from its 1st Revised Sheet No. 11 of its tariff, P.S.C. Mo. No. 2, to support the service connection charge. This quote is not presented in its full context or in the context of the complete tariff. A reading of the complete tariff suggests that Mr. Denham's position may have merit.

MAWC shall file a verified statement stating whether service, that is the water supply, for the account in question was ever actually disconnected and whether the \$20.00 service connection fee was actually paid. MAWC shall also advise whether or not the fee in question has been charged to other customers in circumstances similar to Mr. Denham's and, if so, the number of such instances. Staff shall review MAWC's tariff and determine and report whether the service connection fee is authorized when the water supply is not disconnected and there is merely a transfer of the account.

Staff shall file a memorandum under a pleading detailing its findings, conclusion and recommendation. Mr. Denham and MAWC shall have an opportunity to respond to the Staff findings, conclusion and recommendation.

**IT IS THEREFORE ORDERED:**

1. That the Missouri-American Water Company shall file a verified statement stating whether the water supply for the account in question was ever actually disconnected, whether the \$20.00 service connection fee was actually paid, and the number of other customers, if any, charged the fee where water supply was not actually disconnected. The statement shall be filed on or before February 10, 2000.

2. That the Commission's Staff shall review the tariff presented and file its findings, conclusion and recommendation as directed above on or before February 16, 2000.

3. That Mr. Harold L. Denham and the Missouri-American Water Company file their response, if any, to the Staff findings, conclusion and recommendation by February 25, 2000.

4. That this order shall become effective on February 1, 2000.

**BY THE COMMISSION**



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

( S E A L )

Dated at Jefferson City, Missouri,  
on this 20th day of January, 2000.

Thornburg, Regulatory Law Judge