

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

In the Matter of the Joint Application of )  
Hickory Hills Water & Sewer Co. and )  
Missouri-American Water Company )  
for MAWC to Acquire Certain Water and ) No. WA-2016-0019  
Sewer Assets of Hickory Hills and, in )  
Connection Therewith, Issue )  
Indebtedness and Encumber Assets. )

**Missouri Department of Natural Resources' Reply to MAWC's  
Response to Staff Recommendation and Public Counsel Response**

COMES NOW the Missouri Department of Natural Resources ("MDNR"),  
and for its reply to MAWC's Response to Staff Recommendation and Public  
Counsel Response, states as follows:

1. This Commission has ordered that any party file a reply by October 26, 2015, to MAWC's Response to Staff Recommendation and Public Counsel Response. This Commission noted that MAWC raised three issues: (1) which MAWC should be designated as consolidated with Hickory Hills Water & Sewer Co.; (2) whether the purchase price includes an acquisition premium and, if so, whether the acquisition premium was reasonable or detrimental to the public; and (3) whether the Commission should convene local public hearing.

2. MDNR takes no position on these specific issues. However, MDNR intervened in this action in order to fulfill its duty to protect the environment and to protect Missouri citizens. In that regard, MDNR notes that MDNR, the

receiver, the residents, and PSC staff have made exhaustive efforts to get an adequate sewage treatment system in place at Hickory Hills, and in spite of those efforts, funds have not been available to replace the system, and the adverse environmental effects and contamination of the neighboring stream have continued unabated for years, with no relief in sight until MAWC came along with an offer to purchase and replace the system. Therefore, the PSC should approve the joint application as expeditiously as possible.

WHEREFORE, MDNR respectfully requests that the PSC approve MAWC and Hickory Hills' joint application for approval of transfer of assets as expeditiously as possible.

Respectfully submitted,

**CHRIS KOSTER**  
Attorney General

*/ s/ Timothy A. Blackwell*

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## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or e-mailed to all counsel of record this 26<sup>th</sup> day of October, 2015.

*/ s/ Timothy A. Blackwell* \_\_\_\_\_

TIMOTHY A. BLACKWELL