

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

In the Matter of Missouri-American Water)
Company’s Application for a Certificate of)
Convenience and Necessity Authorizing it to)
Install, Own, Acquire, Construct, Operate,) **File No. WA-2022-0229**
Control, Manage and Maintain a Water)
System and Sewer System in an area of Pettis)
County, Missouri (Monsees Lake Estates)
Subdivision))

RESPONSE TO OPC’S MOTION FOR ADDITIONAL NOTICE LANGUAGE

COMES NOW Missouri-American Water Company (“MAWC”), and for its *Response to OPC’s Motion for Additional Notice Language* states as follows to the Missouri Public Service Commission (“Commission”):

1. On June 28, 2022, the Office of the Public Counsel (“OPC”) filed its *Response to Staff Recommendation* (“*OPC’s Response*”). Within *OPC’s Response*, OPC requests the Commission order MAWC to “...provide notice to customers that although MAWC intends to adopt Monsees’ current water and sewer rates, those rates may change based on MAWC’s current rate case, which has been noticed, but not yet filed, WR-2022-0303....”

2. On June 29, 2022, the Commission issued its *Order Extending Time for Responses to OPC’s Motion for Additional Notice Language* (“*Order*”). The *Order* directed any party that wants to respond to *OPC’s Response* to do so on or before July 12, 2022.

3. Since the Commission’s *Order*, MAWC has filed tariff sheets with supporting direct testimony in File Nos. WR-2022-0303 and SR-2022-0304 to implement a general rate increase for water and sewer service provided in Missouri service areas.

4. The Commission’s *Order* stated the concern of customer confusion. MAWC has the same concern, although for different reasons. Filing a separate notice to the Monsees

customers about the now pending rate case and the Monsees' rates would create confusion. Further, filing a separate notice in this case, or providing such notice to the Monsees' customers prior to closing, would be premature. Further, the rates will not be known at the time of the notice, as the Company just filed direct testimony in the rate case on July 1, 2022.

5. By way of compromise, MAWC would propose to provide notice of the rate case within the closing letter MAWC sends to new customers upon the purchase closing. MAWC proposes the following language in such a letter to the Monsees customers, and is willing to work with parties to reach agreement on such language:

MAWC has adopted and will use Monsees' current water and sewer rates until those rates are changed by the Missouri Public Service Commission. MAWC has filed a rate case before the Missouri Public Service Commission, File Nos. WR-2022-0303 and SR-2022-0304, in which the Monsees' rates will be reviewed. It is expected that any change in rates as a result of these cases would be effective by June 1, 2023.

WHEREFORE, MAWC requests the Commission issue an order approving MAWC's *Application* and granting MAWC a CCN as recommended in Staff's Recommendation and *Memorandum*, direct that additional notice be provided to the Monsees' customers as provided herein and provide such other and further relief as deemed appropriate in the circumstances.

Respectfully submitted,

Dean L. Cooper

Dean L. Cooper, Mo. Bar #36592

Jennifer L. Hernandez, Mo. Bar #59814

BRYDON, SWEARENGEN & ENGLAND P.C.

312 East Capitol Avenue

P.O. Box 456

Jefferson City, MO 65102-0456

Telephone: (573) 635-7166

Facsimile: (573) 635-0427

dcooper@brydonlaw.com

jhernandez@brydonlaw.com

Timothy W. Luft, Mo. Bar #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

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 12th day of July 2022, to all counsel of record.

Dean L. Cooper