

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held at its office in Jefferson City on the 1st day of July, 1999.

House of Denmark, Inc.,)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-99-297</u>
)	
St. Louis County Water Company,)	
)	
Respondent.)	

ORDER APPROVING STIPULATION AND AGREEMENT,
GRANTING VARIANCE AND CLOSING CASE

This matter arises out of a complaint filed against St. Louis County Water Company (STLCWC) by one of its commercial customers, House of Denmark, Inc. (Denmark). Denmark filed its complaint on January 7, 1999, seeking a variance from a rule of STLCWC with respect to an additional water meter and irrigation system connection, allegedly installed in STLCWC's meter box at Denmark's premises in violation of STLCWC's rule. On January 25, 1999, STLCWC timely filed its answer. After an attempt to pursue mediation, the Commission on May 20, 1999, denied the parties' request to appoint a settlement officer, set a prehearing conference and ordered the filing of a joint proposed procedural schedule.

On June 25, 1999, the parties appeared by counsel and the prehearing conference was held. Thereafter, on the same day, the parties

filed their Stipulation and Agreement, on the basis of the Staff Memorandum filed on June 21, 1999. The parties request that the Commission find the facts as stipulated and approve the resolution agreed by the parties. The agreed resolution is one of several options outlined in the Staff Memorandum.

The parties have stipulated to the facts set out in the Staff Memorandum. Briefly, they are as follows: Denmark buys water from STLCWC and buys sewer services from the Metropolitan St. Louis Sewer District (MSD). Some of the water that Denmark buys from STLCWC is used by Denmark to water its lawn via a buried sprinkler system. MSD bills Denmark for sewer services based on the volume of water that Denmark buys from STLCWC, less whatever water Denmark uses in its lawn sprinkler system. Therefore, there is a second meter installed in the meter box at Denmark's premises to measure the volume of water diverted into the lawn sprinkler system. It is this meter that STLCWC claims is in violation of its Commission-approved rules.

At one time, STLCWC's rules permitted the location of "extra plumbing appurtenances" in meter boxes with the prior approval of the company. However, there is no evidence as to whether or not such approval was ever obtained in this case. In any event, the parties have agreed to resolve the matter by locating the MSD meter in a new meter box, connected through the existing box to the incoming main. A variance is necessary to permit this connection and, upon consideration of all of the circumstances, the Commission believes it should be granted.

IT IS THEREFORE ORDERED:

1. That the Stipulation and Agreement of the parties is approved.

2. That House of Denmark, Inc., shall have sixty days from the effective date of this order to remove or relocate the additional water meter and other extra plumbing appurtenances from the St. Louis County Water Company meter box on its premises.

3. That a variance is granted to House of Denmark, Inc., to install and maintain a service line connection, piping, and a valve in the St. Louis County Water Company meter box on its premises, for purposes of connecting to the relocated Metropolitan St. Louis Sewer District meter. House of Denmark shall install a backflow prevention device as specified in Paragraph 3 on Page 5 of the Staff Memorandum filed herein.

4. That this order shall become effective on July 13, 1999.

5. That this case may be closed on July 14, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton, Schemenauer,
and Drainer, CC., concur
Murray, C., absent

Thompson, Deputy Chief Regulatory Law Judge