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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 22nd
day of April, 1998.

In the Matter of Missouri-American Water)	
Company for Permission, Approval, and a)	
Certificate of Convenience and Necessity)	
Authorizing it to Construct, Install, Own,)	<u>Case No. WA-97-45</u>
Operate, Control, Manage and Maintain a)	
Water System for the Public in Certain)	
Areas in St. Charles County, Missouri.)	
In the Matter of Missouri-American Water)	
Company's Revised Tariff Filing Concerning)	<u>Case No. WO-97-492</u>
Service Connections.)	
Public Water Supply District No. 2 of)	
St. Charles County, Missouri,)	
)	
Complainant,)	
)	<u>Case No. WC-96-441</u> ✓
vs.)	
)	
Missouri-American Water Company)	
)	
Respondent.)	

ORDER APPROVING TARIFF SHEETS
IN COMPLIANCE WITH COMMISSION ORDER
AND DENYING MOTION TO REJECT OR SUSPEND TARIFF SHEETS

On November 26, 1997, the Commission issued a Report and Order which granted a Certificate of Convenience and Necessity to Missouri-American Water Company (MAWC) for authority to construct, install, own, operate, control, and manage water supply and distribution systems. On December 8, 1997, MAWC filed tariff sheets and on January 15, 1998, MAWC filed substitute tariff sheets to comply with the Commission's order. On January 26 the Commission issued an order which rejected the tariffs due to a preliminary injunction issued by the Circuit Court of Cole County,

restraining and enjoining the Commission from enforcing the effective date of the original Report and Order.

In response to various requests filed by the parties, an Order of Correction and Modification and an Additional Order of Modification were issued by the Commission on January 30 and March 5 respectively. On February 23 MAWC filed revised tariff sheets with an effective date of March 25. By letter filed March 24, MAWC extended the effective date of the tariff to April 24. On April 13 and April 16, MAWC filed revised tariff sheets.

On March 19, Public Water Supply District No. 2 of St. Charles County, Missouri (District No. 2) filed a Motion to Reject or Suspend Tariff Sheets. In its motion, District No. 2 requested that the tariff sheets be rejected, or in the alternative, suspended pending a hearing to determine if the tariffs were in compliance with the Commission's orders. District No. 2's motion states that the notice procedures in the tariff may not comply with the Commission's orders. District No. 2 also states that the map contained on tariff sheet number E-8 is unclear.

On March 30, MAWC filed a response to District No. 2's motion. In its response, MAWC states that the tariff language regarding notice is in compliance with the Commission's orders and that tariff sheet E-8 when read with tariff sheet E-7f, which immediately precedes it, clearly describes a portion of MAWC's certificated territory.

On April 16, the Staff of the Commission (Staff) filed a memorandum which indicated that the tariff sheets filed by MAWC are in compliance with the Commission's order. Staff recommended that the Commission issue an order approving the tariff sheets.

The Commission has reviewed the tariff sheets filed by MAWC and the Staff's memorandum. The Commission determines that the tariff sheets filed

by MAWC on February 23, as substituted on April 13 and April 16, are in compliance with the Commission's order.

IT IS THEREFORE ORDERED:

1. That the Commission hereby approves the tariff sheets to reflect the certificated territory added as a result of this case in Area 1, Area 2 and Area 3 (as described on Sheet No. E-7F), all in St. Charles County. The following water service tariff sheets filed by Missouri-American Water Company on February 23, 1998, as substituted on April 13, 1998, and April 16, 1998, are approved and shall become effective for service rendered on and after April 24, 1998:

MO. P.S.C. Schedule No. 1 (St. Joseph)
Original Sheet No. 17B (Substituted)

MO. P.S.C. Schedule No. 2 (Joplin)
Original Sheet No. 21A (Substituted)

MO. P.S.C. Schedule No. 2 (Missouri Cities)
Original Sheet No. 13A (Substituted)
Original Sheet No. E-7D
Original Sheet No. E-7E
Original Sheet No. E-7F
2nd Revised Sheet No. E-8

2. That this order shall become effective on April 24, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

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

Dippell, Regulatory Law Judge

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION