

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

In the Matter of Missouri-American	)	
Water Company's Request for Authority	)	Case No. WR-2007-0216 and
To Implement a General Rate Increase	)	SR-2007-0217
For Water Service Provided in Missouri	)	
Service Areas	)	

In the Matter of Missouri-American	)	
Water Company's Filing of Revised Sewer	)	Case No. ST-2007-0443
Tariff Sheets to Implement a Capacity	)	Tariff Nos. JS-2007-0713
Charge for Missouri-American's Warren	)	and JS-2007-0714
County and Jefferson County Sewer	)	
Districts	)	

**REPLY TO STAFF'S RESPONSE TO INTERVENOR CITY OF JOPLIN'S
MOTION TO COMPEL**

COMES NOW Intervenor City of Joplin and for its Reply states as follows:

1. Staff has again admitted in its Reply filed September 20, 2007 that it did not comply with the Commission's Order of September 10, 2007.

2. Staff's allegation that Intervenor City of Joplin has not adhered to the Commission's practice regarding discovery motions is without merit. Intervenor City of Joplin is not conducting discovery. This Commission must reject Staff's attempt to mislead this Commission through the Staff's unwillingness or inability to acknowledge the difference between discovery and the enforcement of a Commission Order. Intervenor City of Joplin is requesting that this Commission compel Staff to comply with this Commission's Order of September 10, 2007.

3. Staff further "suggests" that Intervenor City of Joplin has no standing to request that a Commission Order be followed. "Standing...evaluates the sufficiency of a(n)...interest in the subject." *City of Wellston v. SBC Communications, Inc.*, 203 S.W.3d 189, 193 (Mo. banc 2006). Intervenor City of Joplin has standing in that it has

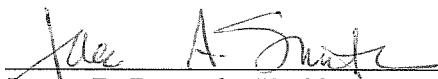
sufficient interest with the Staff complying with this Commission's Order that Staff demonstrate the revenue requirement for each district as determined by the Agreement and for the Joplin District, filing a Schedule #1 demonstrating the contrast between the revenue requirement of the Agreement and the variance utilizing the allocation factors advocated by Joplin.

4. Staff also complains that "It is unprecedented for an intervenor to move to compel the Commission's Staff to comply with a Commission's Order." This statement would suppose that the Staff routinely follows and complies with this Commission's Order. Staff's failure to do so regarding the Commission's request for information which would effect Joplin ratepayers is further evidence that Staff's action toward Intervenor City of Joplin continue to be unjust, unreasonable, unduly discriminatory and have no rational basis.

WHEREFORE, Intervenor City of Joplin moves this Commission to enter its order directing Staff to produce the documents previously requested by this Commission or in the alternative to strike all Staff pleadings previously filed.

Respectfully submitted,

BLITZ, BARDGETT & DEUTSCH, L.C.

By: 
James B. Deutsch, #27093
Marc H. Ellinger, #40828
Jane A. Smith, #28681
308 East High Street, Suite 301
Jefferson City, MO 65101
Telephone: 573/634-2500
Facsimile: 573/634-3358
E-mail: jdeutsch@blitzbardgett.com
E-mail: mellinger@blitzbardgett.com
E-mail: jsmith@blitzbardgett.com
Attorneys for City of Joplin

Certificate of Service

I hereby certify that true and accurate copies of the foregoing Reply to Staff's Response to Intervenor City of Joplin's Motion to Compel were served by electronic transmission this 21st day of September, 2007, on:

Office of General Counsel
E-mail: GenCounsel@psc.mo.gov

Ms. Jacqueline Levey
E-mail: jlevey@armstrongteasdale.com

Mr. Stuart Conrad
E-mail: stucon@fcplaw.com

Mr. J. Kent Lowry
E-mail: klowry@armstrongteasdale.com

Mr. Dean Cooper
E-mail: dcooper@brydonlaw.com

Mr. Kevin Thompson
E-mail: Kevin.Thompson@psc.mo.gov

Mr. William R. England, III
E-mail: trip@brydonlaw.com

Mr. Mark W. Comley
E-mail: comleym@ncrpc.com

Mr. Lewis R. Mills, Jr.
E-mail: opcservice@ded.mo.gov

Mr. Jeremiah D. Finnegan
E-mail: jfinnegan@fcplaw.com

Mr. David Woodsmall
E-mail: dwoodsmall@fcplaw.com

Ms. Mary Ann Young
E-mail: myoung0654@aol.com

Mr. Leland Curtis
E-mail: lcurtis@lawfirmemail.com

Mr. William D. Steinmeier
E-mail: wds@wdspe.com

Mr. Carl Lumley
E-mail: clumley@lawfirmemail.com

Ms. Diana M. Vuylsteke
E-mail: dmvuylsteke@bryancave.com

Ms. Lisa Langeneckert
E-mail: llangeneckert@stolarlaw.com

Mr. Larry W. Dority
E-mail: lwdority@sprintmail.com

Ms. Sherrie A. Schroder
E-mail: saschroder@hstly.com

Mr. James M. Fischer
E-mail: jfischer@aol.com

Michael A. Evans
E-mail: mevans@hstly.com

Mr. Byron Francis
E-mail: bfrancis@armstrongteasdale.com

