

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

In the Matter of Portico Properties, L.L.C.'s)	
Application for Certificate of Convenience)	Case No. WA-2008-0400
And Necessity to Provide Water Service)	
)	

**APPLICATION TO INTERVENE OF
MISSOURI-AMERICAN WATER COMPANY**

COMES NOW Missouri-American Water Company (MAWC) and, pursuant to 4 CSR 240-2.075, files its Application to Intervene in the Matter of Portico Properties, L.L.C.'s Application for Certificate of Convenience and Necessity to Provide Water Service, and states as follows:

1. MAWC is a Missouri corporation duly organized and existing under the laws of the State of Missouri with its principal office and place of business located at 727 Craig Road, St. Louis, MO 63141. A certified copy of MAWC's certificate of good standing was submitted in Case No. SA-2007-0316 and is incorporated by reference. MAWC is a "water corporation," "sewer corporation" and "public utility" as those terms are defined in Section 386.020 RSMo 2000, and is subject to the jurisdiction and supervision of the Missouri Public Service Commission (Commission) as provided by law. MAWC has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates having occurred within three years from the date of this Application. MAWC has a rate case pending before the Commission (WR-2008-0311). MAWC has no annual report or assessment fees that are currently overdue.

2. As admitted by Portico Properties, L.L.C. (Portico) in its Application for Certificate of Convenience and Necessity (Application), MAWC currently provides water service, pursuant to a Certificate of Convenience and Necessity issued by the

Commission, to the mobile home park for which Portico also seeks a Certificate in Johnson County, Missouri. Portico itself is a customer of MAWC.

3. In its Application, Portico alleges that it seeks a Certificate in order to “provide water service to the described area and charge the residents within the area based upon their usage, as opposed to an average of the usage of all residents, thereby making the fees charged to such residents a fair representation of the usage of such residents.”

4. However, Portico is currently able to charge its tenants/residents based on their actual usage, pursuant to MAWC’s tariff, by submetering at the mobile home park. (“If additional meters are desired by the Customer for showing subdivision of the supply within a premise, they shall be furnished, installed and maintained at the expense of the Customer.” P.S.C.Mo. No. 2, Sheet No. 31, Rule 13(k), Missouri Cities Water Company [now Missouri American Water Company]).

5. On information and belief, Portico is seeking a Certificate in order to surcharge the residents an additional amount above and beyond the tariffed rates Portico pays to MAWC.

6. MAWC opposes any attempt by Portico to surcharge the residents, and if authorized to intervene MAWC will oppose the Application.

7. Because MAWC holds a Certificate to provide service to the area that is the subject of the Application, MAWC has an interest that is different from that of the general public and that may be impacted by a final order in this case.

8. Further, the Commission has generally found that overlapping certificates and the possible duplication of facilities is contrary to the public interest. Therefore, the

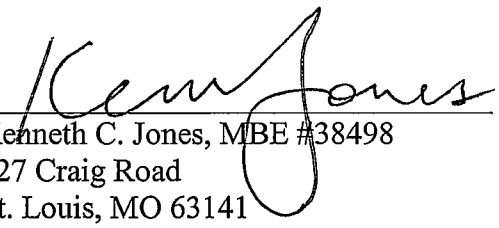
granting of MAWC's proposed intervention would allow the Commission to thoroughly examine this issue and would serve the public interest.

9. Correspondence, communications, orders and decisions in this matter should be addressed to:

Kenneth C. Jones
Missouri-American Water Company
727 Craig Road
St. Louis, MO 63141
Kenneth.jones@amwater.com
314-996-2278 (telephone)
314-997-2451 (telefax)

WHEREFORE, Missouri-American Water Company moves the Commission to grant its Application to Intervene in Case No. WA-2008-0400.

Respectfully submitted,


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ATTORNEY FOR MISSOURI-AMERICAN
WATER COMPANY

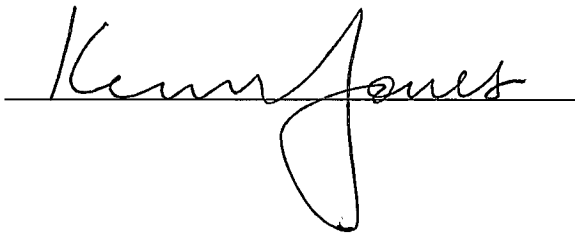
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was mailed postage prepaid the 24th day of July, 2008, to:

Kevin Thompson
General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Lewis R. Mills, Jr.
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A handwritten signature in cursive script, reading "Ken Jones", is written over a horizontal line. The signature is fluid and stylized, with the first name "Ken" and last name "Jones" clearly legible.