

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Missouri-American)		
Water Company for a Certificate of)		
Convenience and Necessity Authorizing)		
it to Install, Own, Acquire, Construct,)	File Nos.	WA-2021-0376
Operate, Control, Manage and Maintain)		SA-2021-0377
a Water System and Sewer System in)		
and around the City of Eureka, Missouri.)		

REQUEST TO BE EXCUSED

COMES NOW Jefferson County Public Sewer District (“District”) and requests to be excused from the evidentiary hearing January 20-21 in the above referenced case and in support thereof states as follows:

1. On April 26, 2021, Missouri-American Water Company (“MAWC”) filed applications with the Missouri Public Service Commission (“Commission”) requesting Certificates of Convenience and Necessity (“CCNs”) to provide water and sewer services in and around the city of Eureka, Missouri (“Eureka”).

2. At that time, the District had concerns that the area requested by MAWC might interfere with its authority to serve water and sewer services granted to the District by the Jefferson County Commission, the circuit court in Jefferson County, and an intergovernmental agreement with the city of Eureka.

3. On November 5, 2021, MAWC filed its Direct Testimony. In its Direct Testimony, MAWC made it clear that the service territory sought in this Application was entirely within St. Louis County.

4. On December 3, 2021, the District filed the Rebuttal Testimony of Douglas Bjornstad. In that testimony, Mr. Bjornstad opined that the service territory described in MAWC’s Direct Testimony did not interfere with the authority granted to the District.


5. On December 17, 2021, the parties filed Surrebuttal Testimony. No party took exception to Mr. Bjornstad's conclusions. And no party has sought to change the boundaries as described in MAWC's Direct Testimony.

6. On January 5, 2022, the parties filed their Joint List of Issues, Order of Witnesses, Order of Cross Examination, and Order of Opening. With the District's knowledge, assent, and encouragement, neither the District nor Mr. Bjornstad were included in that filing.

7. As long as the boundaries remain as described in the testimony of MAWC and accepted by Mr. Bjornstad in his Rebuttal Testimony, the District has no further issue to bring before this Commission.

WHEREFORE, for the foregoing reasons, the Jefferson County Public Sewer District respectfully requests that Mr. Bjornstad and the below signed counsel be excused from the evidentiary hearing dated January 20-21, 2022.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Request to be Excused was sent to all parties of record in File No. WA-2021-0376 via electronic transmission this 11th day of January 2022.