

In the Matter of an Investigation into the Operations and Conditions of Tri-States Utility, Inc.)
) **File No. WO-2013-0403**

² *Id.*

3. The MAWC Application “asks that the Commission grant this Application for Intervention/participation, and hereby entitle said Applicant to have notice of and to appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard in person or by counsel on the argument, and in all other respects to be made a party to this proceeding.” (MAWC Application, page 2). Contrary to its assertions, granting MAWC’s intervention in this matter will not serve the public interest. Attempting to turn this proceeding into a contested matter and ostensibly cloaking itself with discovery rights/opportunities seeking confidential information, MAWC would use this investigatory docket as a subterfuge to further its parochial interests.³

4. In its Order, this Commission contemplated that the creation of an investigative case would assist its Staff in working with the company and other interested entities. In its Application, MAWC alleges that it “may be in a position to provide information that will assist the Staff and Office of the Public Counsel with their investigation and to provide potential solutions for any issues related to Tri-States’ operation.” As the state’s largest, regulated investor-owned water corporation, MAWC does not require status as a party to this proceeding in order for the Staff to seek any purported information/input that it may deem relevant or appropriate.

WHEREFORE, Tri-States Utility, Inc. respectfully requests that the Commission deny Missouri-American Water Company’s application to intervene/participate in this investigatory docket.

³ “MAWC has been in prior discussions to acquire Tri-States’ assets.” MAWC Application, page 2.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the above and foregoing document were sent by electronic mail, or hand-delivered, on this 26th day of March, 2013, to:

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