

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

In the Matter of Missouri-American Water)
Company’s Application for a Certificate of)
Convenience and Necessity Authorizing it)
to Install, Own, Acquire, Construct,)
Operate, Control, Manage and Maintain a)
Sewer System in and around the City of)
Hallsville, Missouri)

File No. SA-2021-0017

**ORDER GRANTING MOTION TO FILE RESPONSE BRIEF
AND DIRECTING ADDITIONAL BRIEFING**

Issue Date: June 25, 2021

Effective Date: June 25, 2021

On April 8, 2021, the Commission conducted an evidentiary hearing in the matter of the application of Missouri-American Water Company (MAWC) for a certificate of convenience and necessity to install, own, acquire, construct, operate, control, manage, and maintain a sewer system in and around Hallsville, Missouri. MAWC’s application seeks Commission authority to acquire the City of Hallsville sewer system (Hallsville System). Boone County Regional Sewer District (District), the Staff of the Commission (Staff) and the Office of the Public Counsel (OPC)¹ are also parties.

As provided by Commission order, MAWC, Staff and the District filed initial briefs on June 9, 2021, and reply briefs on June 16, 2021.

On June 24, 2021, the District filed a motion for leave to file a response brief to address arguments made by Staff and MAWC regarding preemption of the District’s regulations. The District filed its proposed response brief with its motion.

¹ To date, OPC has not filed briefs in this case.

The Commission will grant the District's request to file a response brief. The Commission reminds all counsel of the duty of candor toward the tribunal and will direct all parties, in any further briefing in this case, to identify adverse statutes, case law and other authorities.

The Commission will direct Staff and MAWC to file briefs addressing the arguments made in the District's response brief concerning District regulations, the significance of *Moats v. Pulaski County Sewer District No. 1*, 23 S.W3d 868 (Mo. App. S.D. 2000), and subsequent amendments to Chapter 644, RSMo.

In addition, given the Commission's acceptance of the District's response to Staff and MAWC's reply briefs, the Commission will allow Staff, MAWC and OPC to file responses to any reply briefs filed on June 16, 2021.

THE COMMISSION ORDERS THAT:

1. The District's motion for leave to file a response is granted. *District's Response to Reply Briefs of Staff and MAWC* is accepted as filed on June 24, 2021.
2. No later than July 2, 2021, Staff and MAWC shall file briefs addressing the arguments made in the District's June 24, 2021 brief, as described above. OPC may file such a brief no later than July 2, 2021.
3. No later than July 2, 2021, Staff, MAWC and OPC may file additional briefs in response to reply briefs filed on June 16, 2021.

4. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Jana C. Jacobs, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,
on this 25th day of June, 2021.