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April 12, 2000

**FILED<sup>2</sup>**

APR 12 2000

Missouri Public  
Service Commission

Mr. Dale Hardy Roberts  
Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

**RE: Missouri-American Water Company - Consolidated Case Nos. WR-2000-281  
SR-2000-282**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced proceeding please find an original and fourteen copies of MAWC's Response to OPC's Motion for Order Scheduling Local Public Hearings and Request for Expedited Treatment, Response to Motion of Intervenor Cities of St. Peters, et al. in Support of the OPC's Motion and Motion for Waiver and/or Modification of Notice Requirement. Please stamp the enclosed extra copy "filed" and return same to me.

Thank you very much for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

*Dean Cooper* *by Rg*  
Dean L. Cooper

DLC/rhg  
Enclosures

cc: Office of the Public Counsel  
Mr. Keith Krueger  
Ms. Shannon Cook  
Mr. Louis Leonatti  
Mr. Jim Fischer  
Mr. Leland Curtis  
Mr. Brent Stewart  
Mr. James Duetsch

Mr. Joseph Moreland  
Mr. Stu Conrad  
Ms. Lisa Robertson  
Ms. Diana M. Vuylsteke  
Mr. Karl Zobrist

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

**FILED<sup>2</sup>**  
APR 12 2000

Missouri Public  
Service Commission

In the Matter of Missouri-American	)	
Water Company's Tariff Sheets Designed	)	
to Implement General Rate Increases for	)	Case No. WR-2000-281
Water and Sewer Service provided to	)	Case No. SR-2000-282
Customers in the Missouri Service Area	)	
of the Company.	)	

**MAWC'S RESPONSE TO  
OFFICE OF THE PUBLIC COUNSEL'S  
MOTION FOR ORDER SCHEDULING LOCAL PUBLIC HEARINGS  
AND REQUEST FOR EXPEDITED TREATMENT, RESPONSE TO MOTION OF  
INTERVENOR CITIES OF ST. PETERS, ET AL.  
IN SUPPORT OF THE OPC'S MOTION AND  
MOTION FOR WAIVER AND/OR MODIFICATION  
OF NOTICE REQUIREMENT**

COMES NOW Missouri-American Water Company ("MAWC" or "Company") and, for its Response to the Office of the Public Counsel's ("OPC") Motion for Order Scheduling Local Public Hearings and Request for Expedited Treatment and Motion of Intervenor Cities of St. Peters, et al. In Support of the OPC's Motion, and MAWC's motion for a waiver and/or modification of the Missouri Public Service Commission's ("Commission") notice requirements contained in Commission Rule 4 CSR 240-2.110(3) (the "Commission Rule") and the Commission's Suspension Order and Notice and Order Consolidating Cases issued October 28, 1999 (the "Order"), states to the Commission as follows:

**RESPONSE CONCERNING LOCAL PUBLIC HEARINGS**

1. MAWC does not object to the scheduling of local public hearings as proposed by the OPC and the Intervenor Cities of St. Peters, et al.
2. Additionally, because of the passage of time, MAWC withdraws its earlier comments stated in its December 8, 1999 Response to OPC's Request for Local Public Hearings, where MAWC asked that the notice proposal be amended somewhat to take into consideration the quarterly

billing cycle in MAWC's St. Joseph service area. These comments are no longer appropriate as the applicable quarterly billing cycle is already under way.

3. The St. Joseph service area was originally broken out because it is currently billed quarterly (approximately every 90 days) on a "cycle billing" schedule. Thus, not all customers in the St. Joseph service area receive a bill within the thirty-five day window identified in the OPC proposal. Because of the timing of this billing cycle, a special mailing will be necessary in the St. Joseph service area.

4. The remaining service areas are billed on a monthly cycle. Thus, notices to these service areas may be accomplished without a special mailing, and the additional costs associated therewith avoided, only if MAWC is alerted at least 45 days prior to the hearing date. Utilizing the normal billing cycle is of some import as the cost of a special mailing to the approximate 100,000 MAWC customers is estimated to be \$25,000.

**MOTION FOR SEPARATE NOTICE  
FOR WATER AND SEWER CUSTOMERS  
AS TO LOCAL PUBLIC HEARINGS AND EVIDENTIARY HEARING**

5. The OPC has requested that "Notice of the time, date and location of the local hearing, along with information regarding the amount of the proposed rate increase and the approximate percentage of the proposed increase" be provided "to each affected customer, either by imprint on the customer's monthly billing or a bill insert, or a separate mailing not more than 45 days or less than ten days prior to the date of the public hearing."

6. The Commission's Suspension Order and Notice and Order Consolidating Cases issued October 28, 1999, stated as to the evidentiary hearings "[t]hat the Company shall notify each affected customer of the hearings scheduled in this case by either a notice on or accompanying a bill, or in a separate notice, at least ten days but not more than forty-five days before the first day of the

hearing, unless otherwise ordered by the Commission." (emphasis added) The form of notice provided by the Commission in the Order included information concerning both water and sewer increases.

7. MAWC has only approximately one hundred (100) sewer customers located in the Platte County service area. Thus, MAWC is concerned that providing information related to both the water and sewer rate increase requests will not be of use to all of MAWC's approximate 100,000 water customers and may, in fact, be confusing to them.

8. Commission Rule 4 CSR 240-2.110(3) permits the exercise of the Commission's discretion as to the notice requirements by stating that certain requirements must be met "unless otherwise ordered by the Commission." The Order also contained this language.

9. Therefore, MAWC requests that it be allowed to use separate notifications for water and sewer customers as to both any applicable local public hearings and the notices concerning the evidentiary hearing to avoid confusion.

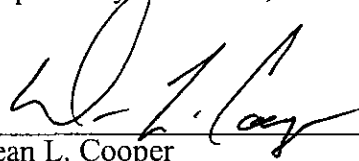
WHEREFORE, MAWC respectfully requests that the Commission issue its order:

(a) granting MAWC a waiver and/or modification to allow MAWC to notify its customers as to applicable local hearings and the evidentiary hearing using separate notices for water and sewer customers; and,

(b) granting such further relief as the Commission deems appropriate in the

circumstances.

Respectfully submitted,



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ATTORNEYS FOR MISSOURI-AMERICAN  
WATER COMPANY

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand-delivered on this 12<sup>th</sup> day of April, 2000, to the following:

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