

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

In the Matter of the Joint Application of)	
Missouri-American Water Company and Meramec)	
Sewer Co. for Authority for Missouri-American)	<u>File No. SO-2013-0260</u>
Water Company to Acquire Certain Assets of)	Tariff No. YS-2013-0379
Meramec Sewer Co., and, in Connection Therewith,)	
Certain Other Related Transactions)	

STAFF’S RECOMMENDATION FOR APPROVAL OF ADOPTED TARIFFS

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and recommends that the Commission approve Missouri-American Water Company’s (MAWC) tariff sheets filed in the above referenced case and bearing Tariff Tracking No. YS-2013-0379, resulting in MAWC’s adoption of Meramec Sewer Company’s (MSC) PSC MO Tariff No. 1 in its entirety as MAWC’s PSC MO Tariff No. 18. In support of its recommendation, Staff states as follows:

1. On November 2, 2012, MAWC and MSC filed a *Joint Application and, If Necessary, Motion for Waiver* with the Commission, seeking Commission approval for MAWC to purchase the assets of MSC.
2. On February 19, 2013, MAWC filed a *Unanimous Stipulation and Agreement* (“Unanimous Agreement”) executed by MAWC, MSC, Staff, and the Office of the Public Counsel as to the request for transfer of assets.
3. On February 20, 2013, the Commission issued an *Order Approving Application and Granting Motion for Expedited Treatment*, in which, the Commission ordered MAWC to file a Tariff Adoption Notice within ten (10) days of the close of assets.

4. On February 28, 2013, MSC's assets were transferred to MAWC and MAWC filed notice of said transfer with the Commission in its *Notice of Compliance Filing*. In that same filing, MAWC stated that it would file a tariff adoption notice within the time stated in the Commission's Order.

5. On March 6, 2013, MAWC filed its Sewer Tariff Adoption Notice¹, thereby adopting MSC's PSC MO Tariff No. 1 in its entirety as MAWC's PSC MO Tariff No. 18.

The proposed tariff sheets include:

PSC MO No. 18 Original Sheet No. Adoption Notice

PSC MO No. 18 1st Revised Sheet No. Title Page
canceling PSC MO No. 1 Original Sheet No. Title Page

PSC MO No. 18 1st Revised Sheet No. 5a
canceling PSC MO No. 1 Original Sheet No. 5a
(Schedule of Service Charges)

Said tariff sheets are in compliance with the terms of the *Unanimous Agreement*.

The proposed tariff sheets bear an effective date of April 5, 2013, which, as required by Commission Rule 4 CSR 240-3.050(14), is not fewer than thirty (30) days after the tariff sheets were filed.

6. On March 6, 2013, the Commission issued an *Order Directing Filing (Order)*, ordering Staff to file its recommendation as to the tariffs no later than March 26, 2013.

7. The Commission has the authority to approve the proposed tariffs pursuant to Section 393.140(11), RSMo (2000).

8. James A. Merciel, Jr., P.E., Utility Engineering Supervisor in the Water & Sewer Unit of the Missouri Public Service Commission, participated in the

¹ Notice of Compliance with Tariff (YS-2013-0379)

review of the tariff sheets, bearing Tracking No. YS-2013-0379, and states that to the best of his knowledge, information and belief, the tariff sheets set forth in paragraph 5 are true and correct and comply with the terms of the *Unanimous Agreement* filed in this case. The Affidavit of James A. Merciel, Jr., P.E. is attached hereto and is incorporated by reference herein.

WHEREFORE, Staff respectfully submits its *Recommendation for Approval of Adopted Tariffs* for the Commission's information and consideration in this case and requests the Commission issue an Order approving PSC MO No. 18 Original Sheet No. Adoption Notice, PSC MO No. 18, 1st Revised Sheet No. Title Page, and PSC MO No. 18, 1st Revised Sheet No. 5a, all included within Tariff Tracking No. YS-2013-0368, to become effective April 5, 2013.

Respectfully submitted,

/s/ Goldie Tompkins

Goldie Tompkins Missouri Bar #58759

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 11th day of March, 2013.

/s/ Goldie Tompkins

Goldie Tompkins

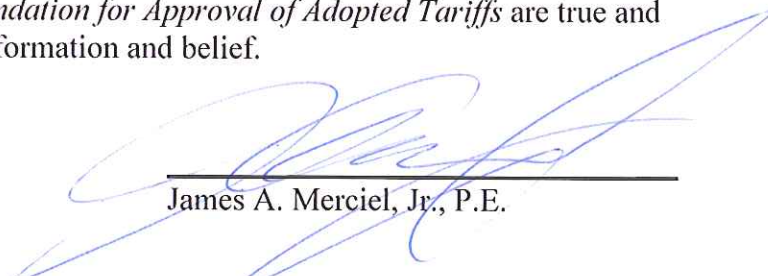
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AFFIDAVIT OF JAMES A. MERCIEL, JR., P.E.

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

James A. Merciel, Jr., P.E., of lawful age, on his oath states: (1) that he is the Utility Regulatory Engineering Supervisor in the Water and Sewer Unit of the Missouri Public Service Commission; (2) that he participated in the preparation of the foregoing *Staff's Recommendation for Approval of Adopted Tariffs*; (3) that he has knowledge of the matters set forth in the foregoing *Staff's Recommendation for Approval of Adopted Tariffs*; and, (4) that the matters set forth in the foregoing *Staff's Recommendation for Approval of Adopted Tariffs* are true and correct to the best of his knowledge, information and belief.



James A. Merciel, Jr., P.E.

Subscribed and sworn to before me this 11th day of March 2013.



Notary Public

LAURA BLOCH
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: June 21, 2015
Commission Number: 11203914