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Missouri Public
Service Commission

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

In the Matter of Missouri-American)
Water Company's Tariff Sheets Designed)
to Implement General Rate Increases for)
Water and Sewer Service Provided to)
Customers in the Missouri Service Area)
of the Company.)

Case No. WR-2000-281, et al.

**CITY OF JOPLIN'S RESPONSE TO MOTIONS OF
MAWC AND STAFF FOR CLARIFICATION
AND EXPEDITED TREATMENT**

COMES NOW Intervenor, City of Joplin, and in response to the Motions for Clarification filed by MAWC on September 6, 2000 and by PSC Staff on September 7, 2000, object to such Motions and urge they be denied on the following grounds:

The Commission's August 31, 2000 Report and Order at paragraph 6 required "that Missouri American Water Company is hereby authorized to file proposed tariff sheets in compliance with this Report and Order." Both MAWC and Staff have filed "Motions for Clarification" which are a mix of what the Commission did find in its Report and Order, what MAWC and Staff believe was found in the Report and Order, and questions concerning matters which were not found in the Report and Order. The problems indicated by these parties with the instant Report and Order are not actually the result of lack of clarity of the decision but, as noted by Staff in its Motion, a lack of any evidence presented to support any of the characterizations of the facts which MAWC and Staff are now trying to use to create a new rate design. (See Staff Motion for Clarification and for Expedited Treatment, paragraph 12, where, after describing results the Staff would like to achieve with the overpayments of Joplin district rate payers, Staff notes that "because the specific rate design chosen by the Commission (i.e., DSP, but no rate decrease for the Joplin district) was not presented by any of the

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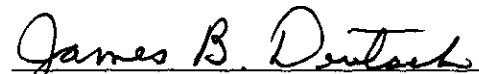
parties, the record does not contain specific evidence related to this option and the Staff is therefore unable to provide various scenarios.”)

What Staff and MAWC are requesting is not clarification of a Report and Order, but another Report and Order. Commission rules do not provide for another Report and Order nor do they provide for “Motions for Clarification.” All of the matters addressed in both Motions are properly the subject of a Motion for Rehearing, which is provided for by Commission rules. The City of Joplin therefore objects to the Motions of MAWC and Staff for Clarification as being in violation of Commission rules and, in asking for rulings not based upon any evidence in the case, a denial of due process of law. The Motions for Clarification filed by MAWC and Staff should be denied.

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 U.S. Mail, postage prepaid, to the following parties of record on this 11th day of September, 2000:

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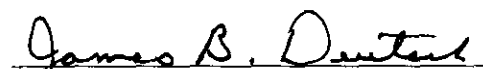
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