

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Missouri-American Water)	
Company's Tariff Sheets Designed to Implement)	Case No. WR-2000-281
General Rate Increases for Water and Sewer)	Tariff No. 200000366
Service Provided to Customers in the Missouri)	Tariff No. 200000367
Service Area of the Company.)	

ORDER EXTENDING INTERVENTION PERIOD
AND GRANTING UNOPPOSED APPLICATIONS
TO INTERVENE

On October 15, 1999, Missouri-American Water Company (Company) submitted to the Commission proposed tariff sheets intended to implement a general rate increase for water and sewer service provided to customers in the Missouri service area of the Company. The proposed tariffs bear a requested effective date of November 15, 1999. The proposed water service tariffs are designed to produce an annual increase of approximately 53.97 percent (\$16,446,277) in the Company's revenues. The proposed sewer service tariffs are designed to produce an annual increase of approximately 5.0 percent (\$2,363) in the Company's revenues.

On October 28, 1999, the Commission issued its Suspension Order and Notice, suspending the proposed tariffs until September 14, 2000. In that Order, the Commission set certain procedural dates intended to permit resolution of this matter within the interval allowed by law, including a deadline for applications to intervene of November 17, 1999. The Commission modified the Suspension Order and

13

Notice in some respects by its Order of November 18, 1999, but it did not alter the intervention deadline.

On November 16, 1999, the municipality of Joplin, Missouri, filed its application to intervene, as did the municipalities of Warrensburg, Missouri, O'Fallon, Missouri, and Weldon Spring, Missouri. On November 17, 1999, the municipality of Mexico, Missouri, filed its application to intervene, as did Public Water Supply Districts (PWSD) Nos. 1 and 2 of Andrew County, Missouri, PWSD No. 1 of DeKalb County, Missouri, and PWSD No. 1 of Buchanan County, Missouri (collectively the PWSD Intervenors), and AG Processing, Inc., a cooperative (AGP), Friskies Petcare, a division of Nestle USA (Friskies), and Wire Rope Corporation of America, Inc. (Wire Rope). None of these applications are opposed and the interval set by Commission rule for making such objection has expired. Rule 4 CSR 240-2.080(12).

According to Commission Rule 4 CSR 240-2.075(4)(B), the fact that an applicant for intervention is a municipality or political subdivision is a sufficient ground to support intervention. As their applications are unopposed, intervention will be granted for the municipalities of Joplin, Warrensburg, O'Fallon, Weldon Spring, and Mexico, and the PWSD Intervenors, which are all political subdivisions.

AGP, Friskies and Wire Rope are all large industrial customers of MAWC in St. Joseph, Missouri. They point out that they will be directly affected and bound by the Commission's decision in this matter. They contend that their interest herein is different from

that of the general public and cannot adequately be represented by any other party to this action. They further state that they oppose the relief sought by MAWC because it is discriminatory.

The Commission has reviewed the application to intervene filed by AGP, Friskies and Wire Rope and finds that it is in substantial compliance with Commission rules regarding intervention and that these entities have an interest in this matter different from that of the general public. The Commission will grant their unopposed request for intervention.

The cities of Warrensburg, O'Fallon and Weldon Spring filed a motion, on November 16, 1999, to extend the intervention period herein to December 7, 1999. AGP, Friskies and Wire Rope joined in this motion on November 17, 1999. No party has made any objection to this motion and the interval set by rule for such has expired. The Commission will grant the motion and extend the intervention deadline to December 7, 1999.

IT IS THEREFORE ORDERED:

1. That the city of Joplin, Missouri, is granted intervention in this case in accordance with 4 CSR 240-2.075(4). The Commission's Records Department shall add its counsel to the service list in this matter: Chuck D. Brown, City Attorney, 303 East Third Street, Post Office Box 1355, Joplin, Missouri 64802-1355.

2. That the cities of Warrensburg, Missouri, O'Fallon, Missouri, and Weldon Spring, Missouri, are granted intervention in this case in accordance with 4 CSR 240-2.075(4). The Commission's Records Department shall add their counsel to the service list in this

matter: Leland B. Curtis, Esq., Curtis, Oetting, Heinz, Garrett & Soule, P.C., 130 South Bemiston, Suite 200, Clayton, Missouri 63105.

3. That the city of Mexico, Missouri, is granted intervention in this case in accordance with 4 CSR 240-2.075(4). The Commission's Records Department shall add its counsel to the service list in this matter: Louis J. Leonatti, Esq., Leonatti & Baker, P.C., Post Office Box 758, Mexico, Missouri 65265.

4. That Public Water Supply Districts Nos. 1 and 2 of Andrew County, Missouri, No. 1 of DeKalb County, Missouri, and No. 1 of Buchanan County, Missouri, are granted intervention in this case in accordance with 4 CSR 240-2.075(4). The Commission's Records Department shall add their counsel to the service list in this matter: James M. Fischer, Attorney at Law, 101 West McCarty Street, Suite 215, Jefferson City, Missouri 65101.

5. That AG Processing, Inc., a Cooperative, Friskies Petcare, a Division of Nestle USA, and Wire Rope Corporation of America, Inc., are granted intervention in this case in accordance with 4 CSR 240-2.075(4). The Commission's Records Department shall add their counsel to the service list in this matter: Stuart W. Conrad, Esq., Finnegan, Conrad & Peterson, L.C., 1209 Penntower Office Center, 3100 Broadway, Kansas City, Missouri, 64111.

6. That the intervention period herein shall be extended to December 7, 1999, and applications for intervention or participation filed on or before that date shall be timely.

7. That this order shall become effective on December 1, 1999.

BY THE COMMISSION



**Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge**

(S E A L)

Kevin A. Thompson, Deputy Chief
Regulatory Law Judge, by delegation
of authority pursuant to 4 CSR
240-2.120(1) (November 30, 1995)
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 1st day of December, 1999.