

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office in
Jefferson City on the 4th day of May,
2000.

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 Regarding Local Public Hearings

On April 17, 2000, the Commission issued its Order Setting Local Public Hearings in which it stated that Missouri-American Water Company would have the opportunity to respond to questions from the public and might also make an informational presentation. On April 21, the Commission issued an Order Of Clarification in which it stated that the Office of Public Counsel might also make a presentation to the public prior to each local public hearing. The Commission has become aware that the previous orders might be interpreted to allow all parties to make formal presentations advocating their respective positions. That was not the intent of the Commission.

The purpose of the local public hearing is to hear from the public. This is an opportunity for individual ratepayers to make their concerns known to the Commission. These concerns may center on rates or on quality and safety of services, or both. They may also specifically relate to the issues that are before the Commission in this contested case.

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The educational session prior to the public hearing was recently initiated by the Commission in order to facilitate the local public hearing. The Commission developed this phase of the process so that the Commission's staff could provide information which explains to the public the procedures to be followed in the local public hearing as well as provide neutral information about the issues before the Commission in the contested case. During this presentation the proscription against advocating a particular position to the public applies to the Commission's staff just as it does to the other parties.

Staff's presentation should make clear to the public that this is the public's opportunity to share their comments or concerns with the Commissioners. Staff should also make the public aware that their comments will be made a permanent part of the record for the case which is currently under consideration.

The local public hearing and the pre-hearing educational session are both convened by the Commission as a forum for the public. The local public hearings have never been convened as an opportunity for the parties to advocate their respective positions. The parties' arguments in support of their respective positions should be reserved for the evidentiary hearing before the Commissioners. Any party which wishes to convene its own public meetings to advocate any particular point has the constitutional right to do so. However, the parties should not expect the Commission to facilitate those types of meetings.

For that reason, the Commission will now clarify that those provisions of the aforementioned orders which indicated that Missouri-American Water Company, Office of the Public Counsel or the staff of the Missouri Public Service Commission would have an opportunity to address the public were not intended to provide a forum for the parties to make formal

presentations advocating their respective positions. The parties may answer questions from the public and provide information, but shall refrain from advocating positions.

IT IS THEREFORE ORDERED:

1. That the staff of the Public Service Commission shall continue to prepare, as previously ordered, to appear prior to the local public hearings scheduled in this case to provide information to the public as to the rules and procedures followed at local public hearings and to provide neutral information about the issues to be considered by the Commission in the contested case proceeding. The purpose of these presentations is to inform and prepare the public so that the public may better make use of the local public hearings.

2. That no party shall be allowed to make a formal presentation to the public advocating the merits of any particular position under consideration.

3. That this order shall be effective on May 4, 2000.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Lumpe, Ch., Crumpton,
Murray, Schemenauer, and
Drainer, CC., Concur.

Roberts, Chief Law Judge