

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Missouri-American Water Company's)
Request for Authority to Implement A General Rate) WR-2011-0337
Increase for Water and Sewer Service Provided in) SR-2011-0338
Missouri Service Areas)

ORDER DIRECTING NOTICE, SETTING INTERVENTION DEADLINE, SETTING HEARINGS, DIRECTING FILINGS AND SETTING PROCEDURAL SCHEDULE

Issue Date: July 5, 2011

Effective Date: July 5, 2011

Procedural History

On April 11, 2011, Missouri American Water Company ("MAWC") filed a Notice of Intended Case Filing" wherein it announced its intension to initiate a general rate case proceeding to seek an increase in its water and sewer rates. Approximately 80 days later, on June 30, 2011, MAWC submitted a tariff designed to implement a general rate increase for its water and sewer service. MAWC indicates the new utility service rates are designed to increase its gross annual revenues by approximately \$42.9 million exclusive of applicable gross receipts, sales, franchise or occupational fees or taxes. The submitted tariff sheets carry an effective date of July 30, 2011.

Procedural Schedule

The Commission will set the procedural schedule culminating in an evidentiary hearing. By establishing the schedule now, the Commission will ensure that this matter is heard as expeditiously as possible. Any party may request a modification to the schedule pursuant to the deadline established in the schedule.

Additionally, the Commission will set dates for settlement conferences. All parties are required to have persons with settlement authority for all issues available at the conferences. The Commission expects the parties to make a good faith attempt to reach agreement when possible and appropriately limit the number of disputed issues requiring decision by the Commission.

Notice and Intervention:

The Commission's Data Center shall serve a copy of this order upon the county commissions of the counties in MAWC's service area. In addition, the Commission's Public Information Office shall make notice of this order available to the media serving MAWC's service area and to the members of the General Assembly representing that area. The Commission will allow 15 days from the issuance of this order to file an application to intervene.

Filings:

This order also addresses specific case filings, and guidelines for the filing of testimony and exhibits.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall serve a copy of this order upon the county commission of each county within Missouri American Water Company's ("MAWC") service area.
2. The Commission's Public Information Office shall make notice of this order available to the members of the General Assembly representing MAWC's service area and to the news media serving MAWC's service area.
3. Any application to intervene shall be filed no later than July 20, 2011 with:

Steven C. Reed, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102-0360

or by using the Commission's electronic filing and information service.

4. A prehearing conference shall be held on July 28, 2011 at 9:30 a.m. The prehearing conference will be held in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri.

5. Any application for intervention not already granted shall be ruled upon at the prehearing conference.

6. Discovery conferences shall be held in accordance with the discovery order issued separately on July 5, 2011.

7. An evidentiary hearing is scheduled for February 20, 2012 through March 2, 2012, beginning each day at 8:30 a.m. The evidentiary hearing will be held in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. A true-up hearing is set for March 5, 2012 through March 6, 2012, beginning each day at 8:30 a.m. .

8. All hearings and conferences set in this order will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person requiring additional accommodations to participate in any hearing shall call the Missouri Public Service Commission's Hotline at 800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

11. No later than August 31, 2011, the Commission's Consumer Services Department shall file a report identifying and describing all customer complaints against MAWC, informal or formal, that were received by the Commission between the time when MAWC's last rate case concluded and the date in which the current case was filed.

12. No later than January 23, 2012, the Commission's Consumer Services Department shall file a report that identifies and describes all customer comments filed during the current rate increase proceeding.

13. The following procedural schedule is established:

Intervention Deadline	- July 20, 2011
Pre-hearing Conference	- July 28, 2011
Schedule Modification Requests	- August 2, 2011
Discovery Conference	- August 29, 2011
Discovery Conference	- September 28, 2011
Revenue Requirement Direct (Non-Company)	- October 27, 2011
Discovery Conference	- October 31, 2011
Rate Design Direct (Non-Company)	- November 24, 2011
Discovery Conference	- November 29, 2011
Rebuttal – All Issues, All Parties	- December 15, 2011
Discovery Conference	- December 27, 2011
Surrebuttal – All Issues, All Parties	- January 4, 2012
Settlement Conference (All parties must have persons with settlement authority for all issues present.)	- January 9–13, 2012
True-Up Direct	- January 19, 2012
Discovery Conference	- January 26, 2012
True-Up Rebuttal	- February 1, 2012
Last Day to Serve Discovery Requests	- February 3, 2012
Settlement Conference	

(All parties must have persons with settlement authority for all issues present.) - February 9, 2012

Reconciliation, List of Issues, List of Witnesses, Order of Witnesses, Order of Witnesses for Cross- Examination, Order of Opening Statements - February 10, 2012

Joint Stipulation of Non-Disputed Material Facts - February 10, 2012

Final Discovery Conference - February 10, 2012

Evidentiary Hearing - February 20, 2012 through March 2, 2012 beginning at 8:30 a.m.

True-Up Hearing - March 5-6, 2012 beginning at 8:30 a.m.

Simultaneous Post-Hearing Briefs - March 26, 2012

Proposed Findings of Fact and Conclusions of Law - March 30, 2012

14. The parties shall comply with the following additional procedural requirements:

- A. All parties shall provide copies of testimony (including schedules), exhibits and pleadings to other counsel by electronic means and in electronic form contemporaneously with the filing of such testimony, exhibits or pleadings where the information is available in electronic format. Parties shall not be required to put information that does not exist in electronic format into electronic format for purposes of exchanging it.
- B. The Commission waives 4 CSR 240-2.045(2) and 2.080(11) with respect to prefiled testimony and other pleadings, and treat filings made through the Commission's Electronic Filing and Information System (EFIS) as timely filed if filed before midnight on the date the filing is due.
- C. Documents filed in EFIS are considered properly served by serving the same on counsel of record for all other parties via e-mail contemporaneously with the EFIS filing.

- D. Testimony shall be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.
- E. The parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of party cross-examination for each witness. The list of issues shall be stated with particularity. If the parties are unable to agree to an issues list, each party shall file a separate issues list.
- F. Each party shall file a simple and concise statement summarizing its position on each disputed issue.
- G. All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the unresolved issues that the parties believe require decision by the Commission.
- H. All parties shall bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it must bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.
- I. In the event that the parties reach a settlement of all of the issues, such settlement shall not be grounds for a continuance of the hearing unless the agreement is final, has been submitted to the Commission in writing, and there are no objections to the agreement.
15. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Harold Stearley, Senior Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 5th day of July, 2011.