

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

In the Matter of Missouri American )  
Water Company’s Request for )  
Authority to Implement General Rate ) **File No. WU-2020-0344**  
Increase for Water and Sewer Service )  
Provided in Missouri Service Areas )

In the Matter of Missouri American )  
Water Company’s Request for )  
Authority to Implement General Rate ) **File No. SR-2020-0345**  
Increase for Water and Sewer Service )  
Provided in Missouri Service Areas )

**APPLICATION TO INTERVENE FOR CITY OF RIVERSIDE, MISSOURI  
OUT OF TIME**

**COMES NOW**, the City of Riverside, Missouri (“City”), a fourth class city, located in the County of Platte, State of Missouri, by and through undersigned Counsel, and pursuant to 20 C.S.R. 4240-2.050 and 20 C.S.R. 4240-2.075, and of the Rules of Practice and Procedure, respectfully applies to intervene as a party in the above-referenced case out of time. In support of this application, Riverside offers the following suggestions in support thereof:

1. The City of Riverside is a fourth class city, operating pursuant to §79.010 - 79.600. RSMo, located in the County of Platte, State of Missouri, and as such is a customer within the Platte County service area of Missouri-American Water Company (“MAWC”), as are the citizens and businesses of Riverside whose health, safety and welfare interests it would also represent in this case. The City Hall is located at 2950 NW Vivion Road, Riverside, MO 64150.

2. This case arose when MAWC submitted a request to implement a general rate increase for water and sewer service areas.

3. The City has a police power interest in MAWC's exercise of its duties and obligations that is different from the interest of the general public.

4. In addition, the City also has an interest in the welfare of its citizens, who receive their water service from MAWC, which is different from the interest of the general public.

5. The Missouri Public Service Commission has previously recognized the City's interest in proceedings affecting the rates for water service in the MAWC Platte County District in permitting the City's intervention in prior MAWC rate-related proceedings, including File No. WR-2010-0131, File No. WR-2011-0337, File No. WR-2015-0301, Case No. WR-2017-0285, and Case No. SR-2017-0286.

6. Pursuant to 20 CSR 4240-2.075 a motion to intervene shall be filed within thirty (30) days after the commission issues its order giving notice of the case, unless otherwise ordered by the commission.

7. On July 2, 2020, the Commission issued an Order Directing Notice and Setting Deadline for Intervention Applications directing that interested parties wishing to intervene must do so on or before July 22, 2020 and July 27, 2020 with respect to using a future test year.

8. Thus, intervention is being sought out of time with respect to the general rate case, but is timely with respect to Missouri American's motion to establish a future test year.

9. This application, while out of time with respect to the general rate case, is timely with respect to Missouri American's motion to establish a future test year, and is still within the standard thirty day time period to file such an application.

10. The first prehearing conference is scheduled for August 3, 2020, at 10:00 a.m.

11. Counsel for Applicant was immersed in a number of other matters for this and other clients and failed to meet the deadline set by the Commission, and such failure was a genuine mistake and was not the result of any intent to delay or prejudice this proceeding.

12. If granted leave to file this intervention out of time, Riverside and undersigned counsel is prepared to meet all deadlines and actively participant in the timely disposition of this proceeding.

13. Undersigned Counsel intends to actively participate in this case, as he has in previous rate cases on behalf of the City.

14. The responsibility for filing out is purely the fault of the undersigned counsel, not the City.

15. Riverside's interests are different from those of the general public and cannot be adequately represented by any other party, and it will serve the public interest if Riverside is permitted to intervene to protect its interests.

16. No prejudice will be suffered by MAWC if this Commission grants this application out of time.

17. All communications, correspondence, orders, decisions and pleadings in this docket should be directed to:

Joseph P. Bednar, Jr.  
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304 East High Street  
Jefferson City, MO 65101  
Telephone: (573) 634-8116  
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18. As part of its inherent authority, the Commission may grant relief from deadlines or otherwise allow filings out of time when they serve the public interest.

19. Specifically, 20 CSR 4240-2.050(3)(B) authorizes the Commission to allow a filing out of time, “when the failure to act was the result of excusable neglect or for other good cause shown.”

20. It desires to participate fully in this proceeding including hearing and the briefing of the issues, and accepts the record as it stands.

21. At this time, Riverside is reviewing MAWC’s direct testimony and initial pleadings, and is intending to support further consolidation of the districts, sometimes referred to as a “single tariff pricing”.

WHEREFORE, for the foregoing reasons, Riverside, Missouri, respectfully requests that the Commission grant its Application to Intervene in this matter, and thereby entitle the City to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the arguments, and in all other respects fully participate in this proceeding.

Respectfully submitted,

**/s/ Joseph P. Bednar, Jr.**

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ATTORNEY FOR CITY OF RIVERSIDE

**Certificate of Service**

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served via the Public Service Commission's (PSC's) electronic filing system (EFIS), on this 23<sup>rd</sup> Day of July 2020, upon all individuals, parties and intervenors and/or their counsel who have entered their appearances in this case on EFIS, and specifically upon the following:

*/s/ Joseph P. Bednar, Jr.*