

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

The Staff of the Missouri)	
Public Service Commission,)	
)	
Complainant,)	
)	<u>Case No. WC-2010-0151</u>
vs.)	
)	
Aqua Missouri, Inc.,)	
)	
Respondent.)	

RECOMMENDATION REGARDING CONSOLIDATION OF CASES

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its Recommendation Regarding Consolidation of Cases (Recommendation), states the following:

1. On November 20, 2009, Staff filed with the Missouri Public Service Commission (the Commission) four complaints (the Complaints), naming as respondents Aqua Development Company d/b/a Aqua Missouri, Inc. (Case No. SC-2010-0150), Aqua Missouri, Inc. (Case Nos. WC-2010-0151 and SC-2010-0152) and Aqua RU, Inc. d/b/a Aqua Missouri, Inc. (Case No. WC-2010-0153).

2. In addition to the Complaints, these entities are currently pursuing revenue increase requests (the rate cases) through the Small Utility Rate Case Procedure found at Commission Rule 4 CSR 240-3.050.

3. On November 24, 2009, the Commission issued its Order Directing Staff to File a Recommendation, ordering Staff to file by December 28, 2009, a recommendation as to the consolidation of any or all of these matters.

4. Commission Rule 4 CSR 240-2.110(3) states that “[w]hen pending actions involve related questions of law or fact, the Commission may order a joint hearing of any or all of the matters at issue, and may make other orders concerning cases before it to avoid unnecessary costs or delay.”

5. Because the pending Complaints involve related questions of law and fact and their consolidation may avoid unnecessary cost or delay, Staff supports consolidation of the Complaints into one matter.

6. At this time Staff is unable to provide a recommendation regarding consolidation of the rate cases. Staff will submit its recommendation regarding consolidation of the rate cases by December 28, 2009, as previously ordered by the Commission

WHEREFORE, Staff submits this Recommendation and asks that the Commission enter an Order consolidating Case Nos. SC-2010-0150, WC-2010-0151, SC-2010-0152 and WC-2010-0153.

Respectfully submitted,

/s/ Eric Dearmont

Eric Dearmont

Assistant General Counsel

Missouri Bar No. 60892

Attorney for the Staff of the
Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 751-5472 (Telephone)

(573) 751-9285 (Fax)

eric.dearmont@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 15th day of December, 2009.

/s/ Eric Dearmont