

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

In the Matter of Missouri-American Water)
Company's Request for a Variance From) **File No. WE-2010-0136**
Certain Requirements Set Forth in 4 CSR)
240-2.050.)

**THE OFFICE OF THE PUBLIC COUNSEL'S RESPONSE TO
APPLICATION FOR WAIVER**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response to Application for Waiver states as follows:

1. On October 30, 2009, Missouri-American Water Company (MAWC) filed an application requesting that the Missouri Public Service Commission (Commission) grant it variance from the requirements of subpart (3) of 4 CSR 240-2.050 (Commission rules on Discontinuance of Service), and allow MAWC to modify the effective period of its notices of discontinuance from eleven (11) business days to twenty (20) business days.
2. On November 16, 2009, the Commission issued its Notice of Application and Order Directing Filing which required Public Counsel to file an answer to MAWC's Application no later than December 17, 2009. The Order also required the Staff of the Missouri Public Service Commission (Staff) to file a recommendation on MAWC's Application no later than December 17, 2009.
3. Public Counsel now states that it takes no position on MAWC's Application at this time. However, Public Counsel reserves the right to respond to Staff's recommendation if it deems necessary.

WHEREFORE, Public Counsel respectfully submits its response.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By: _____

Christina L. Baker (#58303)

Senior Public Counsel

P O Box 2230

Jefferson City, MO 65102

(573) 751-5565

(573) 751-5562 FAX

christina.baker@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 17th day of December 2010:

Office General Counsel
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Jennifer Hernandez
Office General Counsel
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City MO 65102
jennifer.hernandez@psc.mo.gov

Dean Cooper
Missouri-American Water Company
P.O. Box 456
312 East Capitol
Jefferson City MO 65102
dcooper@brydonlaw.com

John Reichart
Missouri-American Water Company
727 Craig Road
St. Louis MO 63141
john.reichart@amwater.com

/s/ Christina L. Baker
