

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

In the Matter of the Joint Application of )  
Missouri-American Water Company and )  
DCM Land, LLC, for a Variance from the )  
Company’s Tariff Provisions Regarding the )  
Extension of Company Mains )

Case No. WE-2021-0390

**JOINT RESPONSE TO COMMISSION’S JANUARY 18, 2022  
ORDER DIRECTING FILING**

**COMES NOW** the Office of the Public Counsel (the “OPC”); the Staff of the Missouri Public Service Commission (the “Staff”); Missouri-American Water Company (“MAWC”); and DCM Land, LLC (“DCM” and collectively with the OPC, the Staff, and MAWC, the “Parties”) and in response to the Missouri Public Service Commission’s (the “Commission”) January 18, 2022 Order Directing Filing respectfully state as follows:

On January 18, 2022, the Commission entered an Order making two inquiries and asking a series of numbered and lettered questions and sub-questions. Specifically, the Commission requested “the parties’ positions on what legal authority the Commission has to grant the requested variance from the tariff” and “evidence concerning why [MAWC’s] extension policy for St. Louis County is different from all its other service territory.” (Jan. 18, 2022 Order 1, Doc. 27).<sup>1</sup> The Commission ordered the Parties to “file a pleading addressing how they plan to address these questions no later than February 1, 2022.” (*Id.* 3).

The Parties have conferred regarding the Commission’s requested pleading. The Parties have agreed that each will separately file a response to the inquiry regarding the Commission’s legal authority to grant the requested variances; and MAWC and, to the extent it chooses to do so, Staff will also include a response to the Commission’s request for evidence regarding MAWC’s

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<sup>1</sup> References to document numbers represent the document numbers assigned in the Electronic Filing Information System (“EFIS”).

extension policy. MAWC, with the input of DCM, will also include responses to the Commission's numbered and lettered questions and sub-questions. These filings will be made on or before February 4, 2022.

The Parties also agreed that each Party should have the opportunity to file a response to the other Parties' February 4, 2022 filings. Such responsive filings will be made on or before February 14, 2022.

WHEREFORE, the Parties respectfully request the Commission adopt the Parties' joint proposed plan and schedule filed in response to the Commission's January 18, 2022 Order Directing Filing.

Respectfully submitted,

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**ATTORNEYS FOR DCM LAND, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the forgoing have been mailed, emailed, or hand-delivered to all counsel of record this 1st day of February 2022.

/s/ Lindsay VanGerpen