

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

In the Matter of the Joint Application of Moore )  
Bend Water Company, Inc. and Moore Bend )  
Water Utility, LLC for Authority of Moore Bend ) **Case No. WM-2012-0335**  
Water Company, Inc. to Sell Certain Assets to )  
Moore Bend Water Utility, LLC )

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and hereby files its recommendation regarding tariff sheets P.S.C. MO No. 1 2<sup>nd</sup> Revised Sheet No. A and P.S.C. MO No. 1 2<sup>nd</sup> Revised Sheet No. 1 submitted in the above referenced case. In support of this recommendation, Staff respectfully states:

1. On April 11, 2012, Moore Bend Water Company, Inc. (MBWC) and Moore Bend Water Utility, LLC (MBWU) filed a joint application for approval of the sale of certain assets from MBWC to MBWU.

2. On April 24, 2013, the Missouri Public Service Commission (Commission) issued an order authorizing the transfer of assets and ordering that the transfer be effective upon MBWU securing from the Commission a certificate of convenience and necessity.

3. On September 30, 2013, MBWU filed a *Notice of Amendment of Agreement, Acquisition of Real Estate, and Request for Issuance of Certificate of Convenience and Necessity*, in which MBWU requested the Commission issue it a certificate to operate as a regulated utility.

4. On October 9, 2013, the Commission issued an *Order Granting Certificate of Convenience and Necessity and Directing Company to File Adoption Notice*,

which canceled MBWC's certificate, granted MBWU's request for a certificate, and directed MBWU to submit an adoption notice tariff sheet.

5. On October 24, 2013, MBWU filed tariff sheets to comply with the Commission's *Order*. On October 28, 2013, MBWU filed substituted tariffs sheets to correct two minor errors in the sheets filed on October 24<sup>th</sup>. The substitute tariff sheets, filed in Tracking No. YW-2014-0193, are P.S.C. MO No. 1 2<sup>nd</sup> Revised Sheet No. A, canceling P.S.C. MO No. 2 1<sup>st</sup> Revised Sheet No. A, and P.S.C. MO No. 1 2<sup>nd</sup> Revised Sheet No. 1, canceling P.S.C. MO No. 2, 1<sup>st</sup> Revised Sheet No. 1.

6. Staff has examined MBWU's filed tariff sheets. James A. Merciel, Utility Regulatory Engineering Supervisor in the Water & Sewer Unit of the Missouri Public Service Commission, participated in the review of this tariff filing and states that, to the best of his knowledge, information, and belief, the tariff sheets are true and correct and comply with the terms of the *Order* in this case. The Affidavit of James A. Merciel is attached here as Appendix A and incorporated by reference.

**WHEREFORE**, Staff submits this recommendation to the Commission stating that the tariff sheets filed in this case and pending in Tracking No. YW-2014-0193 comply with the terms of the Commission's *Order*.

**/s/ Tim Opitz**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed with first-class postage, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 6th day of November, 2013.

**/s/ Tim Opitz**

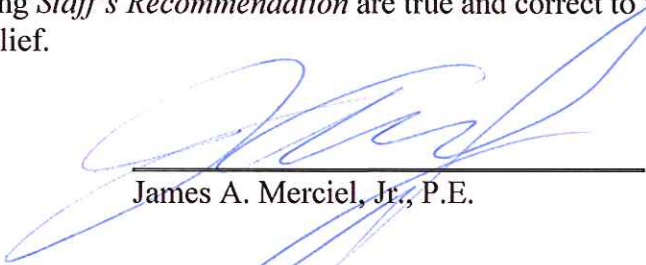
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| In the Matter of the Joint Application of Moore | ) |              |              |
| Bend Water Company, Inc. and Moore Bend         | ) | File No.     | WM-2012-0335 |
| Water Utility, LLC for Authority of Moore       | ) | Tracking No. | YW-2014-0193 |
| Bend Water Company, Inc. to Sell Certain        | ) |              |              |
| Assets to Moore Bend Water Utility, LLC         | ) |              |              |

AFFIDAVIT OF JAMES A. MERCIEL, JR., P.E.

STATE OF MISSOURI     )  
                                          ) ss  
COUNTY OF COLE     )

James A. Merciel, Jr., P.E., of lawful age, on his oath states: (1) that he is the Utility Regulatory Engineering Supervisor in the Water and Sewer Unit of the Missouri Public Service Commission; (2) that he participated in the preparation of the foregoing *Staff's Recommendation*; (3) that he has knowledge of the matters set forth in the foregoing *Staff's Recommendation*; and, (4) that the matters set forth in the foregoing *Staff's Recommendation* are true and correct to the best of his knowledge, information and belief.

  
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James A. Merciel, Jr., P.E.

Subscribed and sworn to before me this 6<sup>th</sup> day of November 2013.

  
\_\_\_\_\_  
Notary Public

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| LAURA BLOCH<br>Notary Public - Notary Seal<br>State of Missouri<br>Commissioned for Cole County<br>My Commission Expires: June 21, 2015<br>Commission Number: 11203914 |
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