

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

In the Matter of Missouri-American Water)
Company for Certificate of Convenience and)
Necessity Authorizing it to Install, Own, Acquire,)
Construct, Operate, Control, Manage and)
Maintain Water and Sewer Systems in an)
area of Stone County, Missouri (Table Rock)
Estates Subdivision))

File No. WA-2021-0116

STAFF RECOMMENDATION

COMES NOW the Public Service Commission Staff (“Staff”), by and through counsel, and recommends that the Commission grant to Missouri-American Water Company (“MAWC”) a Certificate of Convenience and Necessity (“CCN”) to provide regulated water services in an area of Stone County, Missouri (Table Rock Estates). In support of this *Recommendation*, Staff states as follows:

1. On October 22, 2020, MAWC filed its *Application and Motion for Waiver* (“Application”) seeking a Certificate of Convenience and Necessity (“CCN”) for authority to install, own, acquire, construct, operate, control, manage, and maintain a water system in an area of Stone County Missouri (Table Rock Estates Subdivision).
2. On October 23, 2020, the Commission issued its *Order Directing Notice, Setting Date for Intervention, and Ordering Staff Recommendation*, setting an intervention deadline of November 22, 2020. No intervention requests were received. After Staff filed its *Proposed Filing Date*, a deadline of February 4, 2020 was ordered.
3. Pursuant to Section 393.170, RSMo, no water or sewer corporation shall provide service to consumers without first having obtained approval from the Commission. In determining whether or not to grant such approval, the Commission has traditionally applied the five “Tartan Criteria” established in *In the Matter of Tartan Energy*

Company, et al., 3 Mo. PSC 3d 173, 177 (1994): (1) there must be a need for the service; (2) the applicant must be qualified to provide the service; (3) the applicant must have the financial ability to provide service; (4) the applicant's proposal must be economically feasible; and (5) the service must promote the public interest.

4. As explained in the *Staff Memorandum*, attached hereto as Appendix A, Staff conducted an investigation into MAWC's request. Based upon its review, Staff concludes that MAWC fulfills the requirements of the Tartan Criteria.

5. Accordingly, Staff recommends approval granting the CCN, with conditions described in the *Staff Memorandum*, as the requested CCN would be necessary and convenient for the public service, and is not detrimental to the public interest.

6. The Commission need not hold a hearing if, after proper notice and opportunity to intervene, no party requests such a hearing. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989). No party or individual has requested a hearing, so the Commission need not hold a hearing to grant a CCN to the Company.

WHEREFORE, Staff respectfully submits this Staff Recommendation for the Commission's information and consideration, and requests the Commission grant Missouri-American Water Company a Certificate of Convenience and Necessity, with conditions, to provide water service to the requested service area.

Respectfully submitted,

/s/ Casi Aslin

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or electronically mailed to all parties and or counsel of record on this 4th day of February, 2021.

/s/ Casi Aslin