

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

The Staff of the Missouri Public )  
Service Commission, )  
)  
Complainant, )  
)  
vs. )  
)  
Aqua Development Company )  
d/b/a Aqua Missouri, Inc., )  
)  
Respondent. )

**Case No. SC-2010-0150, et al.**

**STAFF RECOMMENDATION REGARDING WAIVER REQUEST**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and for its Staff Recommendation Regarding Waiver Request (“Staff Recommendation”) states as follows:

1. Staff recommends that the Missouri Public Service Commission (“Commission”) approve the modification requested by Aqua Missouri, Inc.<sup>1</sup> (“Company”) in the Petition for Waiver filed with the Commission on May 18, 2010.

2. Both at the time the subject stipulation was entered into and when later adopted by the Commission in the Commission’s 2008 Order Approving Unanimous Disposition Agreement and Approving Tariff (“the Commission’s 2008 Order”), Staff was under the impression that compliance with a six (6) month call retention requirement was feasible. However, pursuant to the investigation conducted by Staff in the context of this case, and in accordance with the representations contained in the Company’s Petition for Waiver, Staff

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<sup>1</sup> For the purposes of this pleading, “Aqua Missouri, Inc.” shall collectively refer to Aqua Development Company d/b/a Aqua Missouri, Inc., Aqua RU Inc. d/b/a Aqua Missouri Inc., and Aqua Missouri, Inc., respondents in this consolidated complaint case.

currently understands that the six (6) month call-retention requirement contained in the Commission's 2008 Order may be beyond the technological capability of the Company's call center database.

3. According to information provided by the Company, Staff believes that the Company can comply with a three (3) month minimum call retention requirement and that a three (3) month minimum call retention period will allow Staff to continue to evaluate the Company's call center and customer service activities in a thorough and effective manner.

4. For this reason, as indicated by the Company in its Petition for Waiver, Staff was, and is, a signatory to an agreement filed in this case that requires the Company to record and maintain calls for a *minimum* of three (3) months.

**WHEREFORE**, Staff recommends that the Commission modify the provision contained in the Commission's 2008 Order requiring the Company to record call center calls for no less than six (6) months.

Respectfully submitted,

**/s/ Eric Dearmont**

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**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 25th day of May, 2010.

**/s/ Eric Dearmont**