

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

In the Matter of Missouri-American Water)	
Company for a Certificate of Convenience)	
And Necessity Authorizing it to Install,)	
Own, Acquire, Construct, Operate,)	<u>File No. WA-2021-0391</u>
Control, Manage and Maintain a Water)	<u>File No. SA-2021-0392</u>
System and Sewer System in and around)	
The City of Garden City, Missouri.)	

**RESPONSE TO MAWC’S MOTION TO FOR LEAVE TO AMEND APPLICATION AND
AMENDMENT TO THE APPLICAITON**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and for its *Response to MAWC’s Motion to for Leave to Amend Application and Amendment to the Application*, states as follows:

1. On May 7, 2021, MAWC filed an Application and Motion for Waiver (“Application”) with the Commission, in File Nos. WA-2021-0391 and SA-2021-0392, seeking certificates of convenience and necessity authorizing Missouri-American Water Company (“MAWC”) to acquire and operate the assets of a municipal water and sewer system in Garden City, Missouri.
2. On May 26, 2021, the Commission issued its *Order Directing Notice* and *Order Directing Filing* setting an intervention deadline of May 25, 2021, and directing Staff to file a recommendation regarding MAWC’s Application no later than June 25, 2021, respectively. No applications to intervene were submitted in either File No. WA-2021-0391 or File No. SA-2021-0392
3. On May 28, 2021, MAWC filed its *Motion to for Leave to Amend Application and Amendment to the Application* (“Amendment”), stating that MAWC neglected to address in its Application the issue of rate base, and seeks to amend its Application to

include a request, and the necessary corresponding documentation, attached thereto as Appendix J, to establish rate base associated with the Garden City water and sewer assets in this matter pursuant to Section 393.320, RSMo.

4. While Staff does not oppose MAWC's May 28th Amendment, it is Staff's position that it constitutes a significant modification to its original Application, and requests that the Commission direct additional notice be given, re-establish a period for interested parties to request intervention in the matter, and set a new filing date by which Staff is to submit its recommendation.

WHEREFORE, Staff respectfully submits its *Motion to for Leave to Amend Application and Amendment to the Application*, and prays the Commission, direct notice of MAWC's Amended Application be given, establish a further deadline for applications for intervention, and establish a new filing date by which Staff is to submit its recommendation; and grant such other and further relief as the Commission considers just in the circumstances.

Respectfully submitted,

/s/ Mark Johnson

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**Attorney for the Staff of the
Missouri Public Service Commission**

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all parties and/or counsel of record on this 7th day of June, 2021.

/s/ Mark Johnson