

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

In the matter of the joint application of the City )  
of Union, Missouri and Public Water Supply )  
District No.1 of Franklin County, Missouri for )  
approval of a Territorial Agreement concerning )  
territory in Franklin County, Missouri. )

**Case No. WO-2003-0186**

**RESPONSE TO ADDENDUM TO AGREEMENT**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and for its Response to Addendum to Agreement ("Response") states the following to the Missouri Public Service Commission ("Commission").

1. On March 6, 2003, the Commission issued its **Report and Order** in this case, wherein it approved a water service territorial agreement ("original Territorial Agreement") between the City of Union, Missouri ("City") and Public Water Supply District No. 1 of Franklin County ("District"). The Commission closed this case on March 17, 2003.

2. On September 20, 2006, the City and the District filed an Addendum to Water Service Territorial Agreement ("Addendum"), as provided for in Paragraph 6 of the original Territorial Agreement, with that filing including the information required by the original agreement for such filings, such as the required consents from the customers directly affected by the Addendum.

3. As provided for in the original Territorial Agreement, the Staff and the Office of the Public Counsel ("OPC") have forty-five days from the filing of an addendum in which to file a response to the addendum. In this instance, the responses would thus need to be filed on or before November 4, 2006.

4. As further provided for in Paragraph 6 of the original Territorial Agreement, if neither the Staff nor the OPC file an objection to an addendum it will be deemed to have been approved.

5. The Staff has reviewed the subject Addendum and the information provided with it, and states its belief that the Addendum is in compliance with the provisions of the original Territorial Agreement approved in this case. Further, the Staff states that it has no objection to the implementation of the Addendum.

**WHEREFORE**, the Staff respectfully submits this Response for the Commission's information and consideration in this case.

Respectfully Submitted,

*/s/ Keith R. Krueger*

Keith R. Krueger  
Deputy General Counsel  
Missouri Bar No. 23857

Attorney for the Staff of the  
Missouri Public Service Commission

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of this Response have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel and/or parties of record this 3rd day of November 2006.

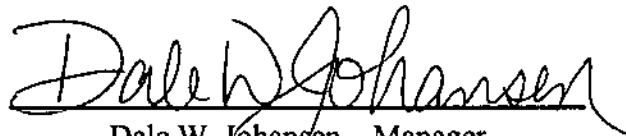
*/s/ Keith R. Krueger*

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

**AFFIDAVIT OF DALE W. JOHANSEN**

STATE OF MISSOURI     )  
                                  ) SS            CASE NO. WO-2003-0186  
COUNTY OF COLE     )

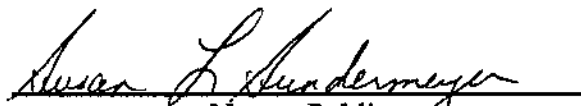
COMES NOW Dale W. Johansen, being of lawful age, and on his oath states: (1) that he is the Manager of the Missouri Public Service Commission's Water & Sewer Department; (2) that he participated in the Staff's review of the Addendum to Water Service Territorial Agreement that is currently before the Commission in the above-referenced case; (3) that he participated in the preparation of the Staff's foregoing Response to Addendum to Agreement ("Response"); (4) that he has knowledge of the matters set forth in the foregoing Response; and (5) that the matters set forth in the foregoing Response are true and correct to the best of his knowledge, information and belief.

  
Dale W. Johansen – Manager  
Water & Sewer Department  
Utility Operations Division



SUSAN L. SUNDERMEYER  
My Commission Expires  
September 21, 2010  
Callaway County  
Commission #06942086

Subscribed and sworn to before me this 3<sup>rd</sup> day of November 2006.

  
Notary Public

My Commission Expires: 9-21-10