

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

AG/CP Crestwood Retail Owner, LLC,)
)
Complainant,)
)
v.)
)
Missouri-American Water Company,)
727 Craig Road)
St. Louis, MO 64141)
CERTIFIED MAIL)
)
Respondent.)

File No. WC-2011-0162

NOTICE OF CONTESTED CASE

Issue Date: December 9, 2010

The Commission is giving notice of the commencement of a contested case. On December 7, 2010, the complainant filed the complaint, a copy of which accompanies this notice. Such filing vested the right to a pre-decision evidentiary hearing in the respondent,¹ so that filing instituted a contested case.²

A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without a hearing,³ including by stipulation and agreement.⁴ Provisions governing discovery are at the Commission's regulation 4 CSR 240-2.090. The Commission's regulations⁵ require the filing of an answer not later than January 10, 2011.

¹ Section 386.390.5, RSMo 2000; *Jamison v. Dept. of Soc. Servs.*, 218 S.W.3d 399, 408-09 (Mo. banc 2007); *Mathews v. Eldridge*, 424 U.S. 319, 332 (1976).

² Sections 536.063(1), RSMo 2000; Section 536.010(4), RSMo Supp. 2009.

³ Sections 536.060, RSMo 2000.

⁴ *Id.* and 4 CSR 240-2.115.

⁵ 4 CSR 240-2.070(7) and (8).

As an alternative to the formal evidentiary hearing procedure, the Commission offers mediation. Mediation is a voluntary process in which a neutral person assists the parties in exploring opportunities for settlement. Upon a request for mediation, the Commission may suspend the filing date set forth in this order.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'S. Reed', is positioned above the printed name of the Secretary.

Steven C. Reed
Secretary

(S E A L)

Dated at Jefferson City, Missouri,
on this 9th day of December 2010.

Jordan, Senior Regulatory Law Judge