

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

Mitch Sims,	)	
	)	
	)	
v.	)	<b><u>File No. WC-2013-0338</u></b>
	)	
Missouri-American Water Company,	)	
	)	
Respondent.	)	

**STAFF'S RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff"), by and through its undersigned counsel, and files *Staff's Recommendation* with the Missouri Public Service Commission ("Commission"), respectfully stating the following in support thereof:

1. On January 31, 2013, Staff indicated that it needed an additional thirty (30) days in order to complete its investigation in this matter and that Staff would file its recommendation or a status report on or before March 1, 2013.

2. Staff has had an opportunity to complete its investigation of the concerns raised by the Complainant Mr. Sims ("Complainant") and attaches Staff's recommendation hereto.

3. In summary, Staff recommends the following:

a. Staff concludes that while the Company did act contrary to Commission Rules in threatening discontinuance of Mr. Sims' service, the Company rectified the situation by cancelling the disconnection order quickly once the error was brought to its attention;

b. Staff further concludes that MAWC did not violate its approved tariff or Commission Rules when it rendered Mr. Sims' initial bill with the due date of June 27, 2011. However, as a customer courtesy Staff would suggest the removal of all associated late fees due to Mr. Sims' ongoing dispute over this matter and his due diligence to pay current charges not in dispute; and

c. Staff would, therefore, recommend that a pre-hearing conference be established in order to afford Mr. Mitchell Sims the opportunity to obtain and present evidence which may shed further light on his allegations concerning MAWC's billing error. Staff further recommends that Mr. Sims consider the Commission's alternative dispute resolution, as allowed by Commission Rule 4 CSR 240-2.125.

**WHEREFORE**, Staff respectfully submits this *Staff's Recommendation* for the Commission's information and consideration and any other relief it deems just.

Respectfully submitted,

**/S/ TANYA K. ALM**

Tanya K. Alm

MoBar # 62721

Attorney for the Staff of the

Missouri Public Service Commission

P. O. Box 360

Jefferson City, MO 65102

(573) 526-6036 (Telephone)

(573) 751-9285 (Fax)

[tanya.alm@psc.mo.gov](mailto:tanya.alm@psc.mo.gov)

**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 1<sup>st</sup> day of March, 2013.

**/S/ TANYA K. ALM**