#### STATE OF MISSOURI PUBLIC SERVICE COMMISSION

At a session of the Public Service Commission held at its office in Jefferson City on the 27<sup>th</sup> day of April, 2011.

#### ROMAN DZHURINSKIY,

Complainant,

v.

File No. WC-2010-0215

### MISSOURI-AMERICAN WATER COMPANY

Respondent.

# ORDER ADOPTING RECOMMENDED REPORT AND ORDER

Issue Date: April 27, 2011

Effective Date: May 12, 2011

The Missouri Public Service Commission is adopting the Recommended Report

and Order<sup>1</sup> based on the existing record without further hearing.

The Recommended Report and Order issued by delegation of authority to the

Commission's regulatory law judge.<sup>2</sup> Upon such issuance, the Commission's regulations

provide:

Any party subject to a recommended order disposing of the case or a recommended report and order issued by a regulatory law judge under this section may file with the commission, within ten (10) days of the issuance of the recommended order, comments supporting or opposing the recommended order shall contain specific detailed grounds upon which it claims the order is unlawful, unjust, or unreasonable. The commission may approve or reject the recommended order based on the existing record without further hearing. If the commission rejects the recommended or the shall issue its own order based on the

<sup>&</sup>lt;sup>1</sup> On April 12, 2011.

<sup>&</sup>lt;sup>2</sup> 4 CSR 240-2.070(14)(C).

evidence previously submitted, or upon such additional evidence, as the commission shall choose to receive.<sup>[3]</sup>

Staff filed Staff's Comments in Support of Recommended Report and Order,<sup>4</sup> in which Staff recommends that the Commission adopt the Recommended Report and Order based on the existing record without further hearing. The Commission received no other comments.

Upon review of the record,<sup>5</sup> the Commission independently determines the complaint as set forth in the Recommended Report and Order, and will adopt the Recommended Report and Order based on the existing record without further hearing.

## THE COMMISSION ORDERS THAT:

1. The Recommended Report and Order is adopted based on the existing record without further hearing.

2. This order is effective on May 12, 2011.

BY THE COMMISSION

Steven C. Reed Secretary

Gunn, Chm., Clayton, Davis, Jarrett, and Kenney, CC., concur.

Jordan, Senior Regulatory Law Judge

(SEAL)

<sup>&</sup>lt;sup>3</sup> 4 CSR 240-2.070(14)(H). <sup>4</sup> On April 21, 2011.

<sup>&</sup>lt;sup>5</sup> As Section 536.080.2, RSMo 2000, provides.