

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 12th day of August, 2009.

ROB LEE,)
)
Complainant,)
)
v.)
)
MISSOURI AMERICAN)
WATER COMPANY,)
)
Respondent;)
)
and)
)
In the Matter of a Repository)
File for Certain Investigations of)
Missouri American Water Company.)

File No. WC-2009-0277

File No. WO-2010-0045

ORDER DIRECTING TREATMENT OF CERTAIN FILINGS

Issue Date: August 12, 2009

Effective Date: August 12, 2009

The Missouri Public Service Commission is directing treatment for certain filings by Rob Lee related to the facilities of Missouri American Water Company.

Mr. Lee sought repairs to the facilities of Missouri American Water Company ("the company") by a complaint ("the complaint") that he filed on January 27, 2009. The complaint initiated a contested case to which the Commission assigned file no. WC-2009-0277. On July 14, 2009, Mr. Lee filed a "final statement." The final statement was the basis on which the Commission granted leave for Mr. Lee to dismiss the complaint

(“dismissal order”). The dismissal order was effective at 12:01 a.m.¹ on August 3, 2009, concluding the contested case, and closing file no. WC-2009-0277.

On July 23 and August 3, 2009, after Mr. Lee filed his final statement, Mr. Lee filed more documents under file no. WC-2009-0277.² Each such document related to the subject matter of the complaint, but no such document sought a rehearing of the dismissal order. Instead, those documents seek further investigation of the complaint’s subject matter.

For the purpose of continuing such investigation, therefore, the Commission opened file no. WO-2010-0045. File no. WO-2010-0045 shall contain a copy of any document that Mr. Lee filed in file no. WC-2009-0277 after July 14, 2009; any response to such document; and any further document that Mr. Lee files related to the subject matter of the complaint. The Commission will treat no document in file no. WO-2010-0045 as a complaint initiating a contested case unless Mr. Lee expressly requests that the Commission grant relief after an evidentiary hearing on the record.

Further, if any document in file no. WO-2010-0045 includes an allegation not already made in file no. WC-2009-0277, the Commission’s staff shall investigate such allegation, and file a report of its findings in file no. WO-2010-0045 within a reasonable time.

THE COMMISSION ORDERS THAT:

1. File no. WO-2010-0045 shall contain any document filed by Mr. Lee:
 - a. after July 14, 2009, in file no. WC-2009-0277; or
 - b. on or after the date of this order if such document is related to the condition of Missouri American Water Company’s facilities in Mr. Lee’s neighborhood.

¹ 4 CSR 240-2.050(2).

² Documents that the Commission received electronically on August 1, 2009, a Saturday, are “filed” on the next Commission business day, which was August 3, 2009. 4 CSR 240-2.045(2).

If any such document includes an allegation not already made, the Commission's staff shall investigate such allegation and file a report of its findings in file no. WO-2010-0045 within a reasonable time.

2. The Commission will treat no document in file no. WO-2010-0045 as a complaint to initiate a contested case unless Mr. Lee expressly requests that the Commission grant relief after an evidentiary hearing on the record.

3. This order shall become effective immediately upon issuance.

(S E A L)

BY THE COMMISSION



Steven C. Reed
Secretary

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

Jordan, Regulatory Law Judge