

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

In the Matter of Missouri-American Water)
Company for a Certificate of Convenience and)
Necessity Authorizing it to Install, Own,)
Acquire, Construct, Operate, Control, Manage)
and Maintain a Water System and Sewer)
System in and around the City of)

File No.: WA-2022-0311¹

STAFF’S REPLY TO MAWC’S RESPONSE TO STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and makes the following reply to MAWC’s² response to Staff’s recommendation:

On May 10, 2022,³ Missouri-American Water Company (MAWC) filed an application seeking a certificate of convenience and necessity (CCN) and authority to acquire a water and sewer system in and around the City of Stewartville, Missouri, located in DeKalb and Clinton Counties. The Commission directed Staff to file a recommendation, and after extensions needed to allow MAWC and Staff to identify and work through issues, Staff filed its recommendation on October 11. Staff recommended that the Commission approve MAWC’s CCN application with conditions, and Staff stated that it did not oppose \$1,900,000 as the rate base for the Stewartville system.

MAWC filed a response to Staff’s recommendation on October 21 accepting Staff’s recommendation and attaching proposed revised CCN service area maps and legal descriptions. One of Staff’s CCN conditions was that MAWC submit tariff sheets, to

¹ Consolidated with

² Missouri-American Water Company

³ All date references will be to 2022 unless otherwise stated.

become effective before closing on the assets, to include a revised service area map, revised service area written description, rates, and charges to be included in its EFIS tariffs P.S.C. MO No. 13 and 26, applicable to water and sewer service, respectively.

MAWC's response stated that Staff and OPC had "indicated that they have no objections to the use of these maps and legal description." Staff advises the Commission that there has been a misunderstanding between Staff and MAWC with respect to the proposed maps and legal descriptions. MAWC is correct that Staff did not tell MAWC's counsel that Staff objected to the maps and descriptions. Indeed, MAWC is also correct that Staff will not necessarily object to them. But Staff does not yet approve of the maps and legal descriptions.

Staff neither objected to nor approved of the maps and descriptions because Staff understood and still understands that ongoing conversations are occurring between MAWC and the DeKalb Water District No. 1 about those maps and descriptions and that MAWC's final proposed maps and descriptions will take the water district's concerns into consideration. Subsequently to MAWC's filing its response, Staff counsel has had further conversations with both MAWC and water district personnel. It remains Staff's understanding that conversations between the water district and MAWC continue. Accordingly, Staff expresses no views on the proposed service areas and legal descriptions.

Staff stresses that it is not here changing its recommendation or adding conditions. Staff simply wishes to clarify that while it may have no objections to the tendered maps and legal descriptions, it was and remains its understanding that the ones which will be proposed to the Commission for its final approval will have been vetted by the water

district and that the Commission will know the water district's views on the matter, whatever they might be, before the Commission rules.

WHEREFORE, Staff reiterates its previously filed recommendation; asks the Commission to enter no orders at this time either approving or disapproving MAWC's proposed service area maps and descriptions; and asks the Commission to set a deadline for MAWC to file a status report or other pleading relative to the service area maps and description.

Respectfully Submitted,

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Commission

CERTIFICATE OF SERVICE

The undersigned by his signature below certifies that the foregoing pleading was served upon all counsel of record on this October 25, 2022 by electronic filing in EFIS, electronic mail, hand-delivery, or U.S. postage prepaid.

/s/ Paul T. Graham