

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

In the Matter of the Joint Application of)
Missouri-American Water Company and)
Aqua Missouri, Inc., Aqua Development, Inc. and)
Aqua /RU, Inc. d/b/a Aqua Missouri, Inc. for)
Authority for Missouri-American Water Company) **File No. WO-2011-0168**
to Acquire Certain Assets of Aqua Missouri, Inc.,)
Aqua Development, Inc. and Aqua /RU, Inc. d/b/a)
Aqua Missouri, Inc. and, in connection therewith,)
Certain Other Related Transactions)

**NOTICE OF APPLICATION,
ORDER DIRECTING FILING AND ORDER DIRECTING NOTICE**

Issue Date: December 16, 2010

Effective Date: December 16, 2010

The Missouri Public Service Commission is directing Staff to file a recommendation, setting a deadline for applications to intervene, and directing notice of the application.

Further, the Commission is ordering the applicants to file certain information. Such information is necessary for the Commission to give the notice required by Section 393.190.1, RSMo 2000 (“statute”). That statute governs the transaction that is the subject of the application.

The application includes, as the statute requires, a statement of the transaction’s tax revenue impact:

. . . on the political subdivisions in which any structures, facilities or equipment [“assets”] of the corporations involved in such disposition are located.[¹]

The Commission must send such information to the clerks of certain counties.²

¹ Section 393.190.1, RSMo 2000.

² *Id.*

Such counties are not only those where the assets are located, but also those:

. . . in which any portion of a political subdivision which will be affected by such disposition is located. [³]

The statute's context shows that an "affected" political subdivision is one in which the assets are located. If such political subdivision straddles a county line, the statute entitles the county clerks on both sides of such line to information from the Commission.

Therefore, the Commission will order the applicants to file a list of every county that contains any part of a political subdivision that contains any asset subject to the application.

THE COMMISSION ORDERS THAT:

1. No later than December 30, 2010, the applicants shall file the list of counties described in the body of this order.

2. Upon the filing of the list described in paragraph 1, the Commission's Data Center shall transmit this notice and order, with a copy of the application, to the county clerk of each county on such list.

3. The Commission's Public Information Office shall make this notice and order available to the members of the General Assembly representing the residents of each affected county, as described in the body of this order, and to the news media serving those residents.

4. Any application to intervene shall be filed no later than January 18, 2011.

³ *Id.*

5. No later than January 25, 2011, the Commission's staff shall file its recommendation on the application.

6. This order shall become effective immediately upon issuance.

BY THE COMMISSION

(S E A L)



Steven C. Reed
Secretary

Daniel Jordan, Regulatory Law Judge,
by delegation of authority under
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 16th day of December 2010.