

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

In the Matter of the Joint Application of)
Missouri American Water Company and)
Audrain Public Water Supply District) **Case No. WO-2017-0191**
No. 1 for Approval of a Territorial)
Agreement Concerning Territory in)
Audrain County, Missouri.)

Staff’s Statement of No Objection

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Statement of No Objection*, states herein as follows:

1. The Territorial Agreement of MAWC and Audrain Public Water Supply District No.1 of Audrain County, Missouri (the “District”), was approved by Commission order issued April 6, 2017, effective May 6, 2017. A revised tariff sheet was filed with the Commission on June 26, 2017, and took effect thirty days after issuance.

2. As part of the order approving the Territorial Agreement, the Commission directed MAWC to “submit, within six months from the issue date of this Report and Order, a legal description of the corporate limits of the City of Mexico as they existed on September 30, 2016.” No party requested reconsideration or rehearing of the order approving the Territorial Agreement.

3. The provision in the order directing MAWC to submit a legal description originated from the Staff recommendation. Staff recommended approval of the Territorial Agreement, but also pointed out that the Application did not comply with Commission Regulation 4 CSR 240-3.625(1)(A), which requires as part of an application seeking Commission approval of a Territorial Agreement “a specific designation of the boundary, including a legal description.”

4. Now MAWC seeks a variance from that requirement because, it states, the cost of a survey, necessary for preparing a legal description, is unduly great. MAWC further states that the map it has submitted constitutes a “legal description” and is all that is required by Commission Regulation 4 CSR 240-3.625(1)(A). MAWC further suggests that a surveyor-created legal description would not provide any benefits over the map attached to MAWC’s request for a variance.

5. While Staff does not agree that the map MAWC submitted constitutes a “legal description,” Staff has no objection to the granting of the requested variance.

WHEREFORE, Staff prays that the Commission will grant the requested variance.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that the above and foregoing document was filed in EFIS on this 11th day of October, 2017, with notice of the same being sent to all counsel of record.

Kevin A. Thompson