

**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 in and        )  
around an area of Benton County, Missouri        )  
(Pom-Osa Heights Subdivision).                    )  
**File No. WA-2022-0361**

**RESPONSE TO STAFF RECOMMENDATION**

COMES NOW Missouri-American Water Company (“MAWC”), and for its *Response to Staff Recommendation* states as follows to the Missouri Public Service Commission (“Commission”):

1. On June 21, 2022, MAWC filed an *Application, Motion for Waiver And Motion For Expedited Treatment* (“*Application*”) requesting permission and approval for a certificate of convenience and necessity (“CCN”) to install, own, acquire, construct, operate, control, manage, and maintain a water system in Benton County, Missouri, in a subdivision known as Pom-Osa Heights Subdivision. MAWC also requested expedited treatment of its *Application* and waiver of the 60-day notice requirements of Commission Rule 20 CSR 4240-4.017.

2. On June 22, 2022, the Commission issued its *Corrected Order And Notice* that directed Staff to make a filing by July 28, 2022, to identify the date by which Staff would file a recommendation on the *Application*.

3. On July 25, 2022, Staff filed its *Proposed Date When Staff Will File Its Recommendation*, proposing to file its recommendation by September 26, 2022. The Commission issued its *Order Directing Staff To File A Recommendation* on the same date, directing Staff to file its recommendation in this matter no later than September 26, 2022.

4. On September 26, 2022, Staff filed its recommendation for the Commission to grant MAWC a CCN with the conditions and actions described in Staff's *Memorandum*, and did not oppose the Commission granting MAWC a waiver from the requirements of Commission Rule 20 CSR 4240-4.017.

5. MAWC has reviewed the proposed conditions and actions listed on pages eight (8) through nine (9) of Staff's *Memorandum* and states that it has no objection to the proposed conditions and actions.

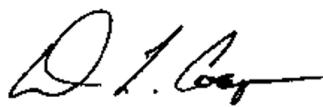
6. Further, as MAWC indicated in File No. WA-2022-0293 in response to an OPC request, MAWC will include the following language in MAWC's post-closing letter to Pom-Osa Heights customers:

MAWC will provide water service pursuant to the existing flat rate currently applicable to MAWC's other service areas. Once meters are installed, MAWC will use existing rates applicable to its "Other Missouri" service area. It will utilize the rules governing the rendering of water service currently found in MAWC's water tariff, P.S.C. MO No. 13.

MAWC has filed a water and sewer rate case before the Missouri Public Service Commission, File No. WR-2022-0303, in which these rates and rules will be reviewed. It is expected that any change in rates as a result of this case will be effective by June 1, 2023.

**WHEREFORE**, MAWC requests the Commission issue an order approving MAWC's *Application* and granting MAWC a CCN as recommended in Staff's *Memorandum*, a waiver of the requirements of Commission Rule 20 CSR 4240-4.017, and for such other and further relief as deemed appropriate in the circumstances.

Respectfully submitted,



Dean L. Cooper, Mo. Bar #36592

**BRYDON, SWEARENGEN & ENGLAND P.C.**

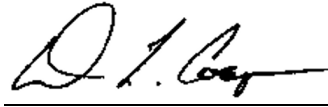
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**ATTORNEYS FOR MISSOURI-AMERICAN  
WATER COMPANY**

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 6<sup>th</sup> day of October 2022, to all counsel of record.



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