

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

In the Matter of Missouri-American Water )  
Company’s Application for a Certificate of )  
Convenience and Necessity Authorizing it to )  
Install, Own, Acquire, Construct, Operate, )  
Control, Manage and Maintain a Water and )  
Sewer System in an area of Pettis County, )  
Missouri (Monsees Lake Estates )  
Subdivision) )

Case No. WA-2022-0229

**REPLY TO MISSOURI-AMERICAN WATER COMPANY’S RESPONSE TO OPC’S  
MOTION FOR ADDITIONAL NOTICE LANGUAGE**

COMES NOW the Office of the Public Counsel (the “OPC”) and in reply to Missouri-American Water Company’s (“MAWC”) Response to OPC’s Motion for Additional Notice Language (the “Response,” Doc. 20) and the Public Service Commission of the State of Missouri’s (the “Commission”) Order Shortening Time for Responses to MAWC’s Offer of Compromise Notice Language (the “July 13, 2022 Order,” Doc. 21) respectfully states:

The OPC has no objection to MAWC’s proposed customer notice language set forth in the Response. The OPC also has no objection to MAWC’s proposal to include the language “within the closing letter MAWC sends to new customers upon the purchase closing.” (Resp. ¶ 5, Doc. 20). For these reasons, the OPC requests that the Commission enter an Order requiring MAWC to send notice consistent with MAWC’s proposal as described in the Response.

**I. Background**

On February 25, 2022, MAWC filed an Application and Motion for Waiver seeking a “Certificate of Convenience and Necessity (CCN) to install, own, acquire, construct, operate, control, manage and maintain a water system and sewer system in Pettis County, Missouri in a subdivision known as Monsees Lake Estates Subdivision (‘Monsees’).” (Appl. ¶ 1, Doc. 1).

On March 1, 2022, the Commission issued its Order Directing Notice, Setting Deadline for Intervention Requests, and Directing Filing of Staff Recommendation. (Doc. 2). Two days later, on March 3, 2022, MAWC filed a Motion to Consolidate, requesting that the Commission consolidate the related water and sewer cases. (Doc. 3). The Commission granted MAWC's Motion to Consolidate and consolidated the cases on March 14, 2022. (Doc. 5).

On March 25, 2022, MAWC filed a Motion For Leave to Amend Application and Amendment to the Application, which the Commission granted on April 8, 2022. (Docs. 6–7).

On June 9, 2022, Staff filed its Recommendation, recommending that the Commission issue MAWC the requested CCN, subject to certain, identified conditions. (Doc. 10). The next day, June 10, 2022, the Commission ordered that “any party that wishes to respond to Staff’s recommendation, or request a hearing, shall do so on or before June 21, 2022.” (June 10, 2022 Order 1, Doc. 11). On June 21, 2022, MAWC filed its Response to Staff Recommendation. (Doc. 12). On that same day, the OPC filed a Motion for Extension, seeking a one-week extension of its deadline to respond to Staff’s Recommendation. (Doc. 13). The Commission granted the OPC’s request. (Doc. 14).

On June 28, 2022, the OPC filed its Response to Staff Recommendation, requesting, in part, that the Commission order MAWC to provide additional notice to the current Monsees customers regarding the possibility that their rates may change as a result of MAWC’s noticed, but not yet filed rate cases. (Doc. 18). The Commission extended the time to respond to the OPC’s Response to Staff Recommendation and stated that “[t]he Commission suggests, but will not order, that OPC and MAWC (and Staff if it wishes) work together to develop notice language that is acceptable to all parties, if possible.” (June 29, 2022 Order 2, Doc. 19).

On July 12, 2022, MAWC filed the Response and “propose[d] to provide notice of the rate case within the closing letter MAWC sends to new customers upon the purchase close.” (Resp. ¶ 5). MAWC also included proposed language. (*Id.*). On July 13, 2022, the Commission shortened the time to reply to MAWC’s Response. (July 13, 2022 Order 2, Doc. 21).

## **II. Response**

The OPC has no objection to MAWC’s proposed compromise set forth in the Response and requests that the Commission enter an Order requiring MAWC to send notice to the Monsees customers consistent with MAWC’s proposal.

MAWC proposed the following language be included in “the closing letter MAWC sends to new customers upon the purchase closing”:

MAWC has adopted and will use Monsees’ current water and sewer rates until those rates are changed by the Missouri Public Service Commission. MAWC has filed a rate case before the Missouri Public Service Commission, File Nos. WR-2022-0303 and SR-2022-0304, in which the Monsees’ rates will be reviewed. It is expected that any change in rates as a result of these cases would be effective by June 1, 2023.

(Resp. ¶ 5).

The OPC agrees that it is appropriate to include this language in the closing letter and has no objection to MAWC’s proposed language. The OPC requests that the Commission enter an Order requiring MAWC to send notice to the Monsees customers consistent with MAWC’s proposal set forth in the Response.

**III. Conclusion**

WHEREFORE, the Office of the Public Counsel respectfully requests that the Commission order MAWC to provide notice to the Monsees customers consistent with MAWC’s proposal as described in the Response.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the forgoing have been mailed, emailed, or hand-delivered to all counsel of record this 15th day of July 2022.

/s/ Lindsay VanGerpen