

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

In the Matter of the Missouri-American) Water Company Contract with Premium) Pork, L.L.C. (now known as Triumph Food,) LLC), for the Retail Sale and Delivery of) Potable Water.)	Case No. WO-2009-0303
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STAFF’S RESPONSE TO OPC’S REQUEST FOR REVIEW

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and submits its Response to the Office of Public Counsel’s (OPC) Request for Review to the Missouri Public Service Commission’s (Commission), stating as follows:

1. On February 20, 2009, OPC filed its Request for Review regarding Missouri American Water Company’s (MAWC) Contract for Retail Sale and Delivery of Potable Water between MAWC and Premium Pork, LLC (Contract), which the Commission authorized in Case No. WT-2004-0192 effective November 25, 2003.
2. On February 25, 2009, the Commission issued its Order Establishing Time for Responses by any interested entity no later than March 31, 2009.
3. P.S.C. MO. No. 1, Revised Tariff Sheet No. 49 for the City of St. Joseph, MO and Vicinity contains the Economic Development Rider which codified the Contract. See Contract at 5, 4.1. Specifically, this tariff allows, in part, OPC to “request a Commission review of the continued appropriateness of the alternative rate set forth in the contract after the initial five years of the contract, with the purpose of such a review being to determine whether the alternative rate continues to be in the best interest of all customer in the Company’s service territory....” See Revised Tariff Sheet No. 54.
4. As five years have passed, Staff supports OPC’s request to review the Contract to determine if the rate is still appropriate and in the best interest of customers.

WHEREFORE, the Staff respectfully submits its Response to OPC's Request for Review for the Commission's consideration.

Respectfully submitted,

/s/ **Shelley Syler Brueggemann**

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 30th day of March 2009.

/s/ **Shelley Syler Brueggemann**