

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 29th day of
May, 2013.

In the Matter of the Application of Missouri-American)	
Water Company for the Approval of an Agreement with)	
the Chariton County Public Water Supply District #2 to)	<u>Case No. WO-2013-0443</u>
Sell and Deliver Water for Resale and Related Tariff)	Tariff No. YW-2013-0430
Sheets.)	

ORDER GRANTING APPLICATION

Issue Date: May 29, 2013

Effective Date: May 31, 2013

Syllabus: This order approves Missouri-American Water Company's application to sell and deliver water to the Chariton County Public Water Supply District, and approves the related tariff sheet.

Procedural History

On April 1, 2013¹, Missouri-American Water Company ("MAWC") asked that the Commission approve its agreement with the Chariton County Public Water Supply District ("District"). That agreement would allow Missouri-American to sell and deliver water to District. In addition, MAWC filed a related tariff sheet, bearing an effective date of May 1, 2013.

On April 2, the Commission issued an Order and Notice, giving parties until April 12 to intervene. Ag Processing, Inc., moved to intervene. The Commission granted the

¹ Calendar references are to 2013 unless otherwise noted.

request. The Commission suspended the tariff for 30 days to allow Staff additional time to complete its Recommendation.

On May 13, Staff filed its Recommendation. Staff recommended that the Commission approve the application.

Commission Rule 4 CSR 240-2.080(13) allows parties ten days to respond to pleadings unless the Commission orders otherwise. The Commission issued no order to the contrary, and no party objected to Staff's Recommendation within ten days.

Discussion

The application is within the Commission's jurisdiction to decide.² Because no party objects to the application, no evidentiary hearing is required.³ Thus, the Commission deems the hearing waived,⁴ and bases its findings on the verified filings, and makes its conclusions as follows.

The contract is in the public interest. MAWC can safely and adequately supply water to District as well as doing the same for its existing customers. The delivery will be from four points and for a term of twenty years. The rate District will pay MAWC under the contract covers MAWC's net marginal cost of water production for District.

THE COMMISSION ORDERS THAT:

1. Missouri-American Water Company's Application for the Approval of Agreement and Tariff is approved.

² Section 393.150 RSMo 2000.

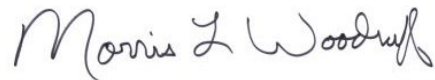
³ *State ex rel. Rex Deffenderfer Ent., Inc. v. Public Serv. Com'n*, 776 S.W.2d 494 (Mo. App. 1989).

⁴ Section 536.060, RSMo 2000.

2. Missouri-American Water Company's tariff sheet, bearing Tariff No. YW-2013-0430, which is P.S.C. MO. NO. 13, Original Sheet No. RT 28, is approved to become effective as of May 31, 2013.

3. This case shall be closed on June 1, 2013.

BY THE COMMISSION



Morris L. Woodruff
Secretary

R. Kenney, Chm., Jarrett, Stoll,
and W. Kenney, CC., concur.

Pridgin, Senior Regulatory Law Judge