

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

In the Matter of the Joint Application of)
Missouri-American Water Company and Tri States)
Utility, Inc. for Authority for Missouri-American Water) **File No. WO-2013-0517**
Company to Acquire Certain Assets of Tri States)
Utility, Inc. and in Connection Therewith,)
Certain Other Related Transactions)

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and hereby files its recommendation regarding tariff sheets PSC MO No. 19, PSC MO No. 19 1st Revised Sheet No. 1, and PSC MO No. 19 1st Revised Sheet No. 2, submitted in the above referenced case. In support of this recommendation, Staff respectfully states:

1. On June 12, 2013, Missouri-American Water Company (MAWC) and Tri States Utility, Inc. (Tri States) filed a joint application before the Public Service Commission (Commission) seeking authority for Tri States to sell substantially all its assets to MAWC.

2. On August 21, 2013, the Commission issued an *Order Approving Transfer of Assets, Granting Certificate of Convenience and Necessity, and Granting Waiver*, which authorized Tri States to sell and MAWC to acquire the assets identified in their application.

3. On September 5, 2013, MAWC filed a *Notice of Compliance* in which it notified the Commission that it had filed the following in Tracking No. YW-2014-0113: PSC MO No. 19 Original Sheet No. Adoption Notice; PSC MO No. 19 1st Revised Sheet No. 1, canceling PSC MO No. 1 Original Sheet No. 1; and PSC MO No. 19 1st Revised Sheet No. 2, canceling PSC MO No. 1 Original Sheet No. 2, all of which bear

an effective date of October 5, 2013. The following day, MAWC submitted a substitute sheet for PSC MO No. 19 1st Revised Sheet No. 2, cancelling PSC MO No. 1 Original Sheet No. 2.

4. On September 9, 2013, the Commission issued an *Order Directing Staff to File a Recommendation and Setting Deadline for Responses*, in which it directed Staff to review the new tariff sheets and file a recommendation on whether those tariff sheets are in compliance with the Commission's order.

5. In compliance with the Commission's *Order*, Staff has examined MAWC's filed tariff sheets. James A. Merciel, Utility Regulatory Engineering Supervisor in the Water & Sewer Unit of the Missouri Public Service Commission, participated in the review of this tariff filing and states that, to the best of his knowledge, information, and belief, the tariff sheets are true and correct and comply with the terms of the *Order* in this case. The Affidavit of James A. Merciel is attached here as Appendix A and incorporated by reference.

WHEREFORE, Staff submits this recommendation to the Commission stating that the tariff sheets filed in this case and pending in Tracking No. YW-2014-0113 comply with the terms of the Commission's *Order*.

/s/ Amy E. Moore

Amy E. Moore
Deputy Counsel
Missouri Bar No. 61759

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed with first-class postage, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 16th day of September, 2013.

/s/ Amy E. Moore

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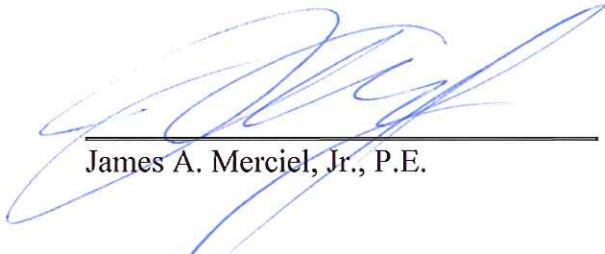
In the Matter of the Joint Application of Missouri-)
American Water Company and Tri States Utility,)
Inc. for Authority for Missouri-American Water)
Company to Acquire Certain Assets of Tri States)
Utility, Inc. and in Connection Therewith, Certain)
Other Related Transactions)

File No. WO-2013-0517
Tracking No. YW-2014-0113

AFFIDAVIT OF JAMES A. MERCIEL, JR., P.E.

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

James A. Merciel, Jr., P.E., of lawful age, on his oath states: (1) that he is the Utility Regulatory Engineering Supervisor in the Water and Sewer Unit of the Missouri Public Service Commission; (2) that he participated in the preparation of the foregoing *Staff Recommendation*; (3) that he has knowledge of the matters set forth in the foregoing *Staff Recommendation*; and, (4) that the matters set forth in the foregoing *Staff Recommendation* are true and correct to the best of his knowledge, information and belief.



James A. Merciel, Jr., P.E.

Subscribed and sworn to before me this 16th day of September 2013.



Notary Public

LAURA BLOCH
Notary Public - Notary Seal
State of Missouri
Commissioned for Cole County
My Commission Expires: June 21, 2015
Commission Number: 11203914