

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 13th day
of July, 2022.

In the Matter of Missouri-American Water)	
Company's Request for Authority to)	<u>File No. WR-2022-0303</u>
Implement General Rate Increase for Water)	<u>File No. SR-2022-0304</u>
and Sewer Service Provided in Missouri)	Tariff No. YW-2023-0003
Service Areas)	Tariff No. YS-2023-0004

**NOTICE OF CONTESTED CASE AND ORDER
SUSPENDING TARIFF AND DELEGATING AUTHORITY**

Issue Date: July 13, 2022

Effective Date: July 23, 2022

Missouri-American Water Company filed its tariffs on July 1, 2022, seeking a 25.7% revenue increase in the amount of \$99.6 million. These tariffs bear proposed effective dates of July 31, 2022. The Missouri Public Service Commission is suspending the tariffs, giving notice of a contested case, and delegating authority.

A. Suspension

The tariffs' effective dates allow insufficient time for the Commission to determine whether the tariffs are just and reasonable, as the law requires,¹ so the Commission will suspend the tariffs.² The Commission may suspend a tariff for 120 days beyond the tariff's effective date.³ If that period is not enough time to conclude a full hearing on the tariff's propriety, the Commission may extend the suspension for a further six months.⁴ The Commission's experience demonstrates that it cannot conclude a full hearing on the

¹ Section 393.190.1, RSMo. 2016.

² Section 393.150, RSMo 2016.

³ Section 393.150.1, RSMo 2016.

⁴ Section 393.150.2, RSMo 2016.

tariffs' propriety in 120 days, so the Commission will suspend the tariffs an additional six months.

B. Notice of Contested Case

Suspension of the tariffs may occur only pending a "full" hearing and decision on the tariff's propriety.⁵ The provision for a full pre-decision hearing signifies that this action is now a "contested case."⁶ A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities⁷ and a decision without a hearing,⁸ including by stipulation and agreement. This order and notice does not require any party to file an answer. The Commission's discovery regulations are at Commission regulation 20 CSR 4240-2.090.

C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.⁹ To ensure that all discovery disputes are ruled upon expeditiously, the Commission will delegate its authority to the regulatory law judge assigned to this action to rule on discovery disputes raised at the discovery conferences and to rule on all motions to compel discovery. The Commission will set forth further provisions for discovery by separate order.

THE COMMISSION ORDERS THAT:

1. The tariff sheets assigned Tracking No. YW-2023-0003 and YS-2023-0004 are suspended from July 31, 2022, for 120 days plus six months to May 28, 2023.

⁵ Section 393.150.1, RSMo 2016.

⁶ Section 536.010(4), RSMo 2016.

⁷ Section 536.060(3), RSMo 2016.

⁸ 20 CSR 4240-2.115.

⁹ Section 386.240, RSMo 2016.

2. The regulatory law judge assigned to this action shall have full authority to rule on any discovery dispute, including any motion to compel and may make any such ruling at a discovery conference.

3. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Silvey, Chm., Rupp, Coleman, Holsman, and
Kolkmeier CC., concur.

Pridgin, Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 13th day of July, 2022.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

July 13, 2022

File/Case No. WR-2022-0303 and SR-2022-0304

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.