

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Reuben L. Crenshaw,)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-2008-0354</u>
)	
Missouri-American Water Company,)	
)	
Respondent.)	

ORDER DIRECTING FILING

Issue Date: July 8, 2008

Effective Date: July 8, 2008

Reuben L. Crenshaw filed a formal complaint against Missouri-American Water Company on April 29, 2008. Among other things, Mr. Crenshaw's complaint alleges that MAWC assessed unlawful, excessive water usage charges against his property at 7904 Page Avenue, Vinita Terrace, Missouri, between October 3, 2006, and May 2, 2007.

MAWC filed its answer on June 6, 2008. The answer denies many of Mr. Crenshaw's allegations. Further, MAWC stated that because of Mr. Crenshaw's bankruptcy filing, MAWC wrote off the past-due amount in his account, which now has a zero balance. MAWC stated that Mr. Crenshaw therefore owes MAWC nothing for the matters alleged in his complaint.

Staff's Report of Investigation was filed on June 20, 2008. Staff stated that it did not find any tariff or rule violations by MAWC that would warrant a recommendation other than that the Commission dismiss the complaint. Staff noted that Mr. Crenshaw requested an order from the Commission granting financial restitution for mental anguish, pain,

suffering, and sleeplessness suffered as a result of the dispute with MAWC. Staff stated that the Commission does not have the legal authority to grant monetary relief as compensation for damages, citing *May Department Stores Company v. Union Electric Light & Power Company, et al.*, 107 S.W.2d 41 (Mo. 1937).

At this stage of this case, Mr. Crenshaw has not stated any facts upon which the Commission could conclude that MAWC has violated its approved tariff, applicable Commission rules, or Missouri statutes. Therefore, the Commission would like to hear from Mr. Crenshaw before deciding whether to accept the recommendation of its Staff that the case be dismissed. Accordingly, Mr. Crenshaw will be given 20 days from the date of this order to file his response addressing statements contained in MAWC's answer and Staff's report in this matter and setting forth the legal or factual reasons why he agrees or disagrees with those statements. (Attached to this order is a letter further explaining this process and providing other helpful information.)

If no response is received, the Commission may make its decision based on the current documents and recommendations before it.

IT IS ORDERED THAT:

1. Reuben L. Crenshaw shall file a response, by not later than 5:00 p.m. on July 28, 2008, which addresses statements contained in Missouri-American Water Company's answer and Staff's report in this matter and sets forth the legal or factual reasons why he agrees or disagrees with those statements.

2. This order shall become effective on July 8, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 8th day of July, 2008.