

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held at its office in Jefferson City on the 22nd day of February, 2023.

In the Matter of the Application of Missouri-)
American Water Company's Request for)
Authority to Implement General Rate)
Increase for Water and Sewer Service)
Provided in Missouri Service Areas)

File No. WR-2022-0303

**ORDER GRANTING MOTION TO LATE-FILE
TESTIMONY AND DENYING MOTION TO STRIKE TESTIMONY**

Issue Date: February 22, 2023

Effective Date: February 22, 2023

On February 14, 2023, Missouri-American Water Company (MAWC) filed a Motion to Late-File Rebuttal Testimony. MAWC explains that it timely emailed a copy of Takisha Walker's (Ms. Walker) rebuttal testimony (testimony) to all parties, but it neglected to file the testimony into EFIS.

Staff objects, and has filed a Motion to Strike. Staff states that it would be prejudiced by not having enough time to respond to the late-filed testimony. In the alternative, if the Commission decides to grant MAWC's Motion, then Staff requests that Staff may respond to Ms. Walker's rebuttal testimony through the True-up phase or through live surrebuttal testimony during the scheduled hearing. Staff further asks that the Commission grant an enlargement of time to request Data Requests ("DRs") on the limited issue addressed in Ms. Walker's testimony.

The Office of Public Counsel (OPC) joins in Staff's Motion to Strike. Alternatively, if the Commission grants MAWC's Motion for Leave and allows MAWC to file Ms. Walker's testimony, OPC requests that the Commission allow all parties to respond

to Ms. Walker's rebuttal testimony through the true-up phase, through live surrebuttal testimony during the schedule hearing, and through an enlargement of time to submit DRs on the limited issues addressed in Ms. Walker's testimony.

MAWC responded, stating that it does not object to other parties providing late filed surrebuttal testimony in response to Ms. Walker's Rebuttal Testimony.

The Commission will grant MAWC's Motion to Late-File Rebuttal Testimony, and will further deny Staff's Motion to Strike. However, the Commission will grant all parties an opportunity to respond to Ms. Walker's testimony through the true-up phase. If the parties cannot agree on a timeline for additional DRs for Ms. Walker's testimony, then the parties may request further relief from the Commission.

THE COMMISSION ORDERS THAT:

1. The Motion to Late-File Rebuttal Testimony filed by MAWC is granted.
2. The Motion to Strike filed by Staff is denied. However, the Commission will grant all parties an opportunity to respond to Ms. Walker's testimony through the true-up phase.
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

Rupp, Chm., 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 22nd day of February, 2023.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

February 22, 2023

File/Case No. WR-2022-0303

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

Sincerely,

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style with a large, prominent "M" and "W".

**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.