

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

In the Matter of Carl Richard Mills' Request)
to Maintain Water System Rate) **File No. WR-2021-0177**

JOINT MOTION FOR RECONSIDERATION

COME NOW the Staff of the Missouri Public Service Commission (“Staff”), Carl Richard Mills, Derald Morgan, and the Office of the Public Counsel (Collectively, “Parties”), by and through the undersigned counsel, and respectfully request the Commission reconsider its Commission’s *Order Directing Responses Regarding On-the-Record Presentation*¹ issued on May 26, 2021. In support, the Parties state as follows:

1. The Unanimous Disposition Agreement filed with the Commission on May 20, 2021, contains the entire agreement amongst the Parties. Included in the many attachments to the Unanimous Disposition Agreement is the Ratemaking Income Statement, EMS Runs, Depreciation Schedules, Rate Design Worksheets, and the results and recommendations of Staff’s Auditing, Customer Experience, and Water and Sewer Department Reports.

2. Of particular note is Attachment A, the Ratemaking Income Statement, that details all the costs included in the agreed upon cost of service for Carl Richard Mills that total \$7,950. This cost of service, if adopted by the Commission, would result in a small rate decrease to water customers in this case of \$161. Attachment A of the Unanimous Disposition Agreement does not contemplate Carl Richard Mills recovering any amount

¹ Subsequently, the Commission issued an order on May 27, 2021, directing Staff to file a recommendation no later than June 4, 2021, regarding the tariff sheet filed by Carl Richard Mills on May 27, 2021 that reflects the rates agreed upon in the Unanimous Disposition Agreement. If the Commission were to hold an on-the-record presentation on the dates posed in its May 26, 2021 order, the on-the-record presentation would occur after Staff has filed its recommendation on the tariff filing, and potentially just days before the tariff is scheduled to go into effect.

of rate case expense for this current case. Mr. Mills has hired legal counsel to represent him in this matter, as has the Intervenor and customer of this system, Derald Morgan. To the extent the Commission orders Mr. Mills to make additional filings or appear to answer questions, Mr. Mills will incur additional legal fees associated with this rate case, for which, as of this time, would not be reflected in water rates. If such fees (or a portion thereof) were to be included in the cost of service in this case for Mr. Mills' system, it is likely that it would cause a system of seven customers to experience a substantial rate increase.

Request for Commission to Reconsider Additional Filings and On-the-Record Proceeding

3. The Parties request the Commission reconsider its May 26, 2021 *Order Directing Responses Regarding On-the-Record Presentation* and relieve all Parties from filing the responses detailed within that Order and from appearing at an on-the-record presentation. As noted above, all documents detailing and supporting the Unanimous Disposition Agreement have been filed with the Commission. After reviewing those documents, should the Commission decide it still has questions, the Parties would suggest instead that the Commission order Staff to appear at an Agenda case discussion or on-the-record proceeding to answer questions on behalf of all Parties.

WHEREFORE, the Parties request the Commission reconsider its May 26, 2021, *Order Directing Responses Regarding On-the-Record Presentation*, as stated herein, and relieve Parties from the requirement to file responses by June 1, 2021; and grant any such further relief as is reasonable under the circumstances.

Respectfully Submitted,

/s/ Jamie S. Myers

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand delivered, transmitted by facsimile or electronically mailed to all parties and/or their counsel of record this 28th day of May, 2021.

/s/ Jamie S. Myers