

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

In the Matter 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 Nos. WR-2022-0303**

**MAWC’S OBJECTION TO LATE FILED APPLICATION TO INTERVENE**

COMES NOW Missouri-American Water Company (“MAWC” or “Company”) and, as its Objection to the *Late Filed Application to Intervene By the Consumers Council of Missouri*, states as follows to the Missouri Public Service Commission (“Commission”):

1. MAWC filed this case on July 1, 2022. On July 6, 2022, the Commission issued its *Order Directing Notice and Establishing Time to Apply to Intervene*, which, among other things, set an intervention deadline of July 26, 2022. On October 10, 2022, (approximately two and one-half months after the intervention deadline) the Consumers Council of Missouri (“Consumers Council”) filed its *Late Filed Application to Intervene By the Consumers Council of Missouri* (“Late Filed Intervention”).

2. Commission Rule 20 CSR 4240-2.075(10) states in part that “Motions to intervene or add new member(s) filed after the intervention date may be granted *upon a showing of good cause.*” (emphasis added). The Commission’s rules do not define “good cause,” but the Commission has previously used the following:

"Good cause" is defined as a substantial reason or cause which would cause or justify the ordinary person to neglect one of his legal duties. To constitute *good cause*, the reason or legal excuse given "must be real not imaginary, substantial not trifling, and reasonable not whimsical." And some legitimate factual showing is required, not just the mere conclusion of a party or his attorney.

*In the Matter of the Application of Noel Water Company, Inc.*, Order Approving Company/Staff Disposition Agreement, Rejecting Tariffs and Authorizing Tariff Filing. FN. 5, File No. WR-2009-

0395, 2009 Mo. PSC LEXIS 1064 (October 7, 2009) (citations omitted).

3. In its Late Filed Intervention, Consumers Council states as follows as its justification for late intervention:

Consumers Council[ ] is aware that this application is being submitted after the deadline set in the Commission's original Notice. Consumers Council was only recently made aware of this rate case. Due cause exists to grant this late-filed application since the proceeding is still at an early stage and no responsive testimony has yet been filed.

Late Filed Intervention, p. 2 (emphasis added).

4. The Commission's *Order Directing Notice and Establishing Time to Apply to Intervene* issued July 6, 2022, directed, in part, the following notice:

1. The Commission's Data Center shall provide notice of this order to all parties in Missouri-American's most recent general rate case, File No. WR-2020-0344.
2. The Commission's Data Center shall provide a copy of this order to the county commission of each county in Missouri-American's service area.
3. The Commission's Public Policy and Outreach Department shall make notice of this order available to the members of the Missouri General Assembly representing the residents of the service area for Missouri-American and to the news media serving the residents of the service territory of Missouri-American.

(emphasis added).

5. Consumers Council is routinely a party before the Commission and was a party to MAWC's last general rate case. (See *Order Directing Filing of Procedural Schedule and Notice of the Grant of Intervention Requests*, Case No. WR-2020-0340 (August 3, 2020). Thus, it would have received direct notice from the Data Center as directed in item 1.

6. MAWC provided notice of the rate case filing by customer insert in its bills subsequent to the filing. A copy of that bill insert is attached as **Appendix 1**. MAWC also provided those residential customers that have asked for email updates with an email containing a link to the Company's Water and Wastewater Rates webpage, which addressed the rate case filing.

The e-mail was opened by approximately 150,000 customers (about a 50% open rate).

7. Additionally, information about the rate case was available in numerous locations as a result of both the press release issued by the Commission and the press release issued by MAWC. The following are examples of the locations where this information was published or available:

Press release published on the St. Louis Post-Dispatch website:

[https://www.stltoday.com/pr/business/missouri-american-water-submits-rate-review-request-to-missouri-public-service-commission/article\\_7538c41e-fc4d-11ec-ad8d-ab2f399482dc.html](https://www.stltoday.com/pr/business/missouri-american-water-submits-rate-review-request-to-missouri-public-service-commission/article_7538c41e-fc4d-11ec-ad8d-ab2f399482dc.html)

Press release posted to Missouri American Water website:

<https://www.amwater.com/press-room/press-releases/missouri/missouri-american-water-invests-nearly-770-million-requests-rate-review>

Missouri American Water “Water and Wastewater Rates” webpage updated with filing information, including links to the proposed rates:

<https://www.amwater.com/moaw/Customer-Service-Billing/Water-and-Wastewater-Rates/>

Press release submitted to Business Wire and published online:

<https://www.businesswire.com/news/home/20220705005309/en/Missouri-American-Water-Submits-Rate-Review-Request-to-Missouri-Public-Service-Commission>

American Water 8-k filing:

<https://d18rn0p25nwr6d.cloudfront.net/CIK-0001410636/22a28690-06f4-4edf-b67d-6f48d2039701.pdf>

MoPSC press release of intervention deadline:

[https://psc.mo.gov/WaterSewer/PSC\\_Sets\\_Intervention\\_Deadline\\_in\\_Missouri-American\\_Water\\_Company\\_Rate\\_Cases--pr-23-02](https://psc.mo.gov/WaterSewer/PSC_Sets_Intervention_Deadline_in_Missouri-American_Water_Company_Rate_Cases--pr-23-02)

Online coverage of rate review filing:

- Yahoo Finance: <https://www.yahoo.com/now/missouri-american-water-submits-rate-103000339.html>
- KZRG (Joplin): <https://newstalkkzrg.com/2022/07/05/missouri-american-water-submits-rate-increase-proposal/>
- Joplin Globe: [https://www.joplinglobe.com/news/local\\_news/missouri-american-announces-filing-for-increase-in-water-rates/article\\_4a8cc166-fc5c-11ec-8895-9770b0eb5ecd.html](https://www.joplinglobe.com/news/local_news/missouri-american-announces-filing-for-increase-in-water-rates/article_4a8cc166-fc5c-11ec-8895-9770b0eb5ecd.html)

- Nasdaq: <https://www.nasdaq.com/articles/american-water:-missouri-american-water-submits-rate-review-request-to-mopsc>
- KOAM (Joplin): <https://www.koamnewsnow.com/missouri-american-water-submits-request-to-increase-rates-for-some-customers/>
- News-Press (St. Joseph): [https://www.newspressnow.com/news/local\\_news/consumer/rate-review-could-increase-water-prices-for-st-joseph-residents/article\\_c9c8a998-fc90-11ec-94f3-bb746cf9fec5.html](https://www.newspressnow.com/news/local_news/consumer/rate-review-could-increase-water-prices-for-st-joseph-residents/article_c9c8a998-fc90-11ec-94f3-bb746cf9fec5.html)

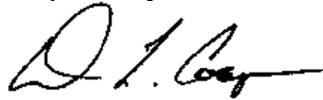
8. Lastly, MAWC notes that counsel for Consumers Council is a customer of MAWC.

His bill dated August 2, 2022, contained a notice describing the filing of this rate case.

9. Accordingly, MAWC suggests there was ample notice provided by the Commission, the Company and media outlets such that there is no good cause for the granting of this late filed intervention. Accordingly, MAWC objects to the Late Filed Intervention.

**WHEREFORE**, MAWC respectfully requests that the Commission deny the *Late Filed Application to Intervene By the Consumer's Council of Missouri*.

Respectfully submitted,



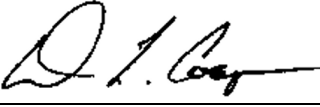
Dean L. Cooper, Mo. Bar #36592  
**BRYDON, SWEARENGEN & ENGLAND P.C.**  
 312 East Capitol Avenue  
 P.O. Box 456  
 Jefferson City, MO 65102-0456  
 Telephone: (573) 635-7166  
 Facsimile: (573) 635-0427  
[dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)

Timothy W. Luft, Mo Bar #40506  
 Rachel L. Niemeier, Mo. Bar #56073  
**MISSOURI-AMERICAN WATER COMPANY**  
 727 Craig Road  
 St. Louis, MO 63141  
 (314) 996-2279  
 (314) 997-2451 (telefax)  
[Timothy.Luft@amwater.com](mailto:Timothy.Luft@amwater.com)  
[Rachel.Niemeier@amwater.com](mailto:Rachel.Niemeier@amwater.com)

**ATTORNEYS FOR MISSOURI-AMERICAN  
 WATER COMPANY**

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail to all counsel of record this 20<sup>th</sup> day of October 2022.

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MISSOURI  
AMERICAN WATER

**WE ARE**

**INVESTED IN MISSOURI**

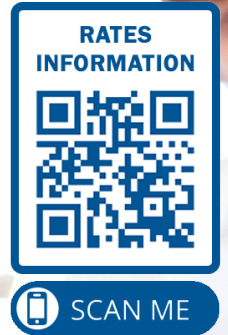
**Nearly \$770 million in investment drives Missouri American Water's rate review request.**

Missouri American Water recently requested a rate review from the Missouri Public Service Commission (MoPSC). The MoPSC review process is expected to take 11 months. Any new rates approved by the MoPSC at the end of this process are not expected to go into effect until mid-2023.

We know there is never a good time to ask for a change in rates, but we have the responsibility to properly maintain and upgrade our water and wastewater systems to provide safe, clean, reliable service to residents and businesses across the state.

**Nearly \$770 million in completed or planned system investments from January 2021 to May 2023 are included in the rate review.** Investments include the replacement, lining and installation of approximately 280 miles of water and wastewater pipes (about the distance from St. Louis to Joplin) and the targeted replacement of lead service lines. Improvements also include upgrades to treatment plants, storage tanks, wells, pumping and lift stations, fire hydrants, meters, valves, and more across the state.

*(Continued on the next page)*  
APPENDIX 1



Our proactive upgrades are an important part of providing safe and reliable service to families and businesses across the state. Continually investing to replace aging infrastructure is key to protecting customers, the communities we serve and the environment.

While costs to provide water and wastewater service continue to increase across the country, our investments and operational efficiencies help us provide high-quality service that continues to be an exceptional value. If the request is approved by regulators as proposed, the bill for a typical volumetric water customer using an average of 4,200 gallons monthly would increase about \$12 or \$13 per month. The bill for a typical volumetric wastewater customers would stay about the same, and the bill for flat rate wastewater customers would increase by \$3 to \$10 per month, depending on the service area.

For more information about rates, visit us at [missouriamwater.com](https://missouriamwater.com) or scan the above QR code.

## ASSISTANCE FOR LOW-INCOME CUSTOMERS

While a water bill is usually the lowest utility bill, we know it's not the only bill that needs to be paid and there are some families who may need assistance. The new temporary federal **Low Income Household Water Assistance Program (LIHWAP)** and **Missouri American Water's H2O "Help to Others" program** both provide direct assistance to low-income customers. Residential customers may also sign up for **budget billing** and **installment plans** to help manage their monthly payments. Visit us online at [missouriamwater.com](https://missouriamwater.com) for more information on assistance options.



MISSOURI  
AMERICAN WATER

WE KEEP LIFE FLOWING®

APPENDIX 1