

**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 )

Case No. WR-2022-0303

**MOTION FOR CLARIFICATION**

Comes now the Office of the Public Counsel (the “OPC”) and respectfully requests that the Public Service Commission of the State of Missouri (the “Commission”) clarify its Order Granting OPC Motion for Production of Documents Pursuant to Section 386.450 (the “Order”) (Doc. 187). Specifically, the OPC requests that the Commission specify the date by which American Water Works Company, Inc. (“American Water”) must produce the requested documents and information. In support, the OPC states as follows:

1. On February 3, 2023, the OPC filed its Motion for Production of Documents Pursuant to § 386.450 RSMo. (the “Motion”). (Doc. 139). In the Motion, the OPC requested that the Commission order American Water to provide documents and information responsive to the OPC’s attached data requests, pursuant to the Commission’s authority under § 386.450 RSMo. The OPC further requested that the Commission order American Water to produce the requested documents and information no later than February 16, 2023.
2. On February 16, 2023, after Missouri American Water Company (“MAWC”) and the Staff of the Commission (“Staff”) responded to the Motion, the Commission granted the OPC’s Motion. (Doc. 187).
3. Also on February 16, 2023, the Parties filed the List of Issues, List and Order of Witnesses, Order of Opening, and Order of Cross-Examination (the “List of Issues”), which contains a list of topics the Parties propose be addressed on each day of the hearing. (Doc. 185).

The List of Issues includes the “ROE/Capital Structure/Cost of Debt” issue on Tuesday, February 28, 2023. (List of Issues 13).

4. In the Order, the Commission found that the OPC had identified good cause to grant the Motion, saying “[t]he Commission finds that OPC has shown good cause in that the information it wishes to receive is pertinent to what appears to be a disputed issue; namely, what MAWC’s capital structure should be for ratemaking purposes.” (Order 3). The Commission further recognized that “[t]he information OPC requests goes to the heart of MAWC’s rate increase request.” (*Id.*).
5. Although the Commission granted the OPC’s motion, the Commission did not specify the date by which American Water must produce the requested documents and information.
6. The OPC must have an opportunity to review the information received from American Water before the ROE/Capital Structure/Cost of Debt issue is addressed at the hearing in this matter.
7. Further, the OPC must have an opportunity to enter the documents and information into the record so that the Commission may consider the information, which the Commission recognized “goes to the heart of MAWC’s rate increase request.” (*See* Order 3).
8. Therefore, the OPC requests that the Commission order as soon as possible American Water to produce the documents and information to the OPC no later than February 21, 2023.

WHEREFORE, the Office of the Public Counsel respectfully requests the Commission order as soon as possible American Water to produce the documents and information responsive to the OPC's data requests no later than February 21, 2023.

Respectfully submitted,

/s/ Lindsay VanGerpen  
Lindsay VanGerpen (#71213)  
Associate Counsel

Missouri Office of the Public Counsel  
P.O. Box 2230  
Jefferson City, MO 65102  
Telephone: (573) 751-5565  
Facsimile: (573) 751-5562  
E-mail: [Lindsay.VanGerpen@opc.mo.gov](mailto:Lindsay.VanGerpen@opc.mo.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the forgoing have been mailed, emailed, or hand-delivered to all counsel of record this 16th day of February 2023.

/s/ Lindsay VanGerpen