

LAW OFFICES
BRYDON, SWEARENGEN & ENGLAND

PROFESSIONAL CORPORATION

312 EAST CAPITOL AVENUE

P.O. BOX 456

JEFFERSON CITY, MISSOURI 65102-0456

TELEPHONE (573) 635-7166

FACSIMILE (573) 635-3847

E-MAIL: DCOOPER@BRYDONLAW.COM

DAVID V.G. BRYDON
JAMES C. SWEARENGEN
WILLIAM R. ENGLAND, III
JOHNNY K. RICHARDSON
GARY W. DUFFY
PAUL A. BOUDREAU
SONDRA B. MORGAN
CHARLES E. SMARR

DEAN L. COOPER
MARK G. ANDERSON
GREGORY C. MITCHELL
BRIAN T. MCCARTNEY
DIANA C. FARR
JANET E. WHEELER

OF COUNSEL
RICHARD T. CIOTTONI

July 16, 2003

FILED²

JUL 16 2003

Missouri Public
Service Commission

Secretary
Public Service Commission
P. O. Box 360
Jefferson City, MO 65102

RE: Case No. WR-2003-0500

Dear Secretary:

Enclosed for filing in the above-referenced proceeding please find an original and eight copies of a Motion to Modify Suspension Order and Notice filed on behalf of Missouri-American Water Company. Please stamp the enclosed extra copy of each "filed" and return same to me.

If you have any questions concerning this matter, then please do not hesitate to contact me. Thank you very much for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:


Dean L. Cooper

DLC/tli
Enclosures
cc: Parties of Record

FILED²

JUL 16 2003

Missouri Public
Service Commission

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

In the Matter of the General Rate Increase)
for Water and Sewer Service Provided) Case No. WR-2003-0500
by Missouri-American Water Company.)

MOTION TO MODIFY SUSPENSION ORDER AND NOTICE

COMES NOW Missouri-American Water Company ("MAWC" or "Company") and, for its Motion to Modify Suspension Order and Notice, states as follows to the Missouri Public Service Commission ("Commission"):

1. On May 29, 2003, the Commission issued its Suspension Order and Notice (the "Order"). The Order, among other things, requires that notice of any local public hearing, the evidentiary hearing and any true-up hearing, in a specified form be provided "to each affected customer . . . by either a notice on or accompanying a bill, or in a separate notice, at least ten (10) days but not more than forty-five (45) days prior to the first day of the hearings, unless otherwise ordered by the Commission."

2. MAWC hereby requests a slight modification to this aspect of the Order in the interest of economic efficiency. MAWC currently bills its St. Louis district customers quarterly (approximately every 90 days) on a "cycle billing" schedule. Thus, not all customers in MAWC's St. Louis district will receive a bill within the thirty-five day window identified in the Order. Because there are over 300,000 St. Louis district customers, the additional cost to provide notice by separate mailing is at least \$40,000 for each round of notice (potentially, \$40,000 for the local public hearing, \$40,000 for the evidentiary hearing and \$40,000 for the true-up hearing), if the Company only notifies 2/3 of its quarterly customers with a separate mailing and uses a bill insert to notify the

remaining 1/3 of its quarterly customers.

3. The Order states that the schedule will be followed “unless otherwise ordered by the Missouri Public Service Commission.”

4. MAWC proposes the Commission modify its Order to allow MAWC to provide the hearing notice to its St. Louis district in its quarterly billing cycle immediately preceding the applicable hearings, but no later than ten (10) days prior to said hearing. Such a modification may provide the opportunity to avoid at least some of the expense identified above. It is not anticipated that all direct mailings can be avoided as the dates set for the local public hearings may necessitate that some customers be notified by separate mailing. However, significant dollars can likely be saved as to subsequent notices by an expansion of the notice period as requested herein.

5. MAWC believes that this can be accomplished by an order requiring notice “to each affected customer in the St. Louis district . . . by either a notice on or accompanying a bill, or in a separate notice, at least ten (10) days but not more than *one hundred and ten (110)* days prior to the first day of the hearings. . . .”

6. Such a modification would be consistent with the notice required by the Commission in St. Louis County Water Company’s (MAWC’s predecessor in the St. Louis district) last two rate cases (See Case No. WR-2000-844, Order granting Intervention, Establishing Protective Order, and Modifying Notice Requirement (issued August 15, 2000) and Case No. WR-97-382, Correction Notice (issued April 17, 1997)).

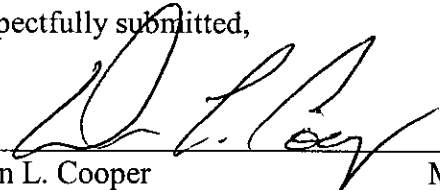
WHEREFORE, MAWC respectfully requests that the Commission issue its order:

(a) modifying its Suspension Order and Notice to allow MAWC to notify its St. Louis district customers at least ten (10) days but not more than *one hundred and ten (110)* days prior to

the first day of the hearings; and,

(b) granting such further relief as the Commission deems appropriate in the circumstances.

Respectfully submitted,



Dean L. Cooper MBE#36592
William R. England, III MBE#23975
BRYDON, SWEARENGEN & ENGLAND P.C.
312 E. Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102
573/635-7166 (phone)
573/635-0427 (facsimile)
dcooper@brydonlaw.com

ATTORNEYS FOR MISSOURI-AMERICAN
WATER COMPANY

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand-delivered on this 15th day of July, 2003, to the following:

Cliff Snodgrass
Missouri Public Service Commission
Governor State Office Building, 8th Floor
Jefferson City, MO 65101

Ruth O'Neill
Office of the Public Counsel
Governor State Office Building, 6th Floor
Jefferson City, MO 65101

Jan Bond
Diekemper, Hammond, et al.
7730 Carondelet Ave, Suite 200
St. Louis, MO 63105

Stuart Conrad
Finnegan, Conrad & Peterson, L.C.
1209 Penntower Office Center
3100 Broadway
Kansas City, MO 64111

Leland Curtis
Curtis, Oetting, et al.
130 S. Bemiston, Suite 200
Clayton, MO 63105

Lisa C. Langeneckert
720 Olive Street, Suite 2400
St. Louis, MO 63101-2313

Mr. Karl Zobrist
Blackwell Sanders Peper Martin LLP
Suite 1100, 2300 Main St.
Kansas City MO 64108

Mr. Charles B. Stewart
Stewart & Keevil, L.L.C.
1001 Cherry Street, Suite 302
Columbia, Missouri 65201

Mr. James B. Deutsch
Blitz, Bargette & Deutsch
308 E. High, Suite 301
Jefferson City, MO 65101

Mr. Jeremiah D. Finnegan
Finnegan, Conrad, et al.
Penntower Office Center
3100 Broadway, Suite 1209
Kansas City, MO 64111

Ms. Diana M. Vuylsteke
Bryan Cave
211 N. Broadway, Suite 3600
St. Louis, MO 63102

James M. Fischer
Fischer & Dority
101 Madison Street, Suite 400
Jefferson City, MO 65101

Mark W. Comley
City of Jefferson
320 E. McCarty St.
Jefferson City, MO 65101

