

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Petition of Missouri-)
American Water Company for Approval) **File No. WO-2020-0190**
to Change an Infrastructure System)
Replacement Surcharge (ISRS))

ORDER DIRECTING FILING

Issue Date: September 14, 2021

Effective Date: September 14, 2021

On June 17, 2020, the Commission issued a Report and Order in this case. On June 26, 2020, the Office of the Public Counsel (OPC) requested rehearing by the Commission, which was denied. On July 24, 2020, the OPC appealed to the Western District Court of Appeals. On May 11, 2021, the Court of Appeals issued its decision finding the Report and Order was unlawful (May 11 Opinion).

On August 31, 2021, the Supreme Court of the State of Missouri declined transfer. On September 1, 2021, the Western District Court of Appeals issued its mandate, reversing and remanding the case to the Missouri Public Service Commission.

The May 11 Opinion stated that the Commission's order was unlawful as it misinterpreted Ruling 9 in calculating MAWC's net operating loss from zero revenue, rather than MAWC's actual gross revenue.¹ The May 11 Opinion instructs the Commission to approve temporary rate adjustments in accordance with Section 386.520.2(2) and consistent with the May 11 Opinion.²

The Commission directs the parties to state how they believe the Commission should proceed with this matter.

¹ WD83924, p. 14.

² WD83924, p. 15.

THE COMMISSION ORDERS THAT:

1. The parties shall file pleadings as set out above no later than September 29, 2021. A joint filing is preferred, if possible.
2. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive, flowing style.

Morris L. Woodruff
Secretary

Charles Hatcher, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,
on this 14th day of September, 2021.

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 14th day of September, 2021.





Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

September 14, 2021

File/Case No. WO-2020-0190

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

Sincerely,



**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.