

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

In the Matter of the Petition of)
Missouri-American Water Company for) File No. WO-2018-0373
Approval to Establish an Infrastructure)
System Replacement Surcharge.)

In the Matter of the Petition of)
Missouri-American Water Company for) File No. WO-2019-0184
Approval to Change an Infrastructure)
System Replacement Surcharge (ISRS).)

NOTICE CONCERNING PRIVATE LETTER RULING REQUEST

COMES NOW Missouri-American Water Company (“MAWC” or “Company”), and for its *Notice Concerning Private Letter Ruling Request*, respectfully states as follows to the Missouri Public Service Commission (“Commission”):

1. A subject of discussion in Commission Case WO-2019-0184 and Commission Case No. WO-2018-0373 (now on appeal with the Western District Court of Appeals) has been MAWC’s filing of a request for a private letter ruling (“PLR”) with the Internal Revenue Service (“IRS”).

2. As stated in the Direct Testimony of John Wilde, since the Commission’s *Report and Order* was issued on December 5, 2018, in Case No. WO-2018-0373, MAWC has taken the following steps in regard to the PLR request:

- In December 2018, the Company discussed filing the PLR with outside experts and worked with those experts on the drafting and filing process related to the PLR;

- In December 2018 and January 2019, MAWC drafted a pre-submission version of the PLR request, and engaged the IRS in scheduling a pre-submission conference. The Company also drafted the formal notice concerning the potential violation of the tax normalization rules. Unfortunately, the government shutdown that occurred during this time frame caused delays in execution of these steps;

- On February 1, 2019, a letter was sent to the IRS notifying them of a potential normalization violation (WO-2019-0184, Response to Commission Request (EFIS Item Number 30));

- On March 19, 2019, American Water representatives, on behalf of MAWC, participated in a pre-filing conference with the IRS in regard to the private letter ruling matter; and,

- On April 16, 2019, MAWC provided the Missouri Public Service Commission Staff a draft of the private letter ruling request for review and comment. This interaction with the Commission is a required step before MAWC may file the private letter ruling request. The Staff provided its initial content in the form of an attachment to the ruling, as well as feedback to sections drafted by the Company, on May 1, 2019.

(WO-2019-0184, Exh. 1, Wilde Dir., p. 10-11)


3. The Company/Staff consultation continued until Staff's final response was received on June 4, 2019. At that time, MAWC moved forward with the filing of the PLR request.

4. MAWC hereby provides notice that its request for a PLR was filed with the IRS on June 5, 2019, and June 6, 2019. A copy of that request (and the supplemental request, starting on page 116 of Appendix A) is attached as **Appendix A**. Appendix A has been identified as Confidential in accordance with Commission Rule 4 CSR 240-2.135(2)(A)5.

5. It is anticipated that it will take up to 6 months for the IRS to issue its decision after the request has been filed. (WO-2019-0184, Exh. 1, Wilde Dir., p. 11)

WHEREFORE, MAWC respectfully provides the notice described herein.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing document was sent via electronic mail on this 11th day of June, 2019, to:

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