

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 23rd day
of November, 2009.

In the Matter of Missouri-American Water Company's)	<u>File No. WR-2010-0131</u>
Request for Authority to Implement a)	
General Rate Increase for Water Service)	
Provided in Missouri Service Areas)	Tracking No. YW-2010-0310

**ORDER SUSPENDING ADDITIONAL TARIFF SHEETS
AND DIRECTING ADDITIONAL NOTICE**

Issue Date: November 23, 2009

Effective Date: November 23, 2009

The Missouri Public Service Commission is granting Missouri-American Water Company's ("the company") Motion to Suspend Tariff Sheets ("motion"). The motion addresses the company's own tariff sheets, which the company re-filed on November 19, 2009 ("additional tariff sheets"). The Commission is also directing additional notice.

A. Additional Tariff Sheets

The additional tariff sheets show an effective date of November 29, 2009. On October 30, 2009, Missouri-American Water Company ("the company") filed the additional tariff sheets with pre-filed testimony as one of three attachments. Of those attachments, the additional tariff sheets are in Schedule GAW-2. Such filing suggested that the additional tariff sheets were for illustrative purposes only. For that reason, the Commission's data center assigned no tracking number to—and the Commission's orders of November 18 and 19, 2009, do not address—the additional tariff sheets.

B. The Company's Motion to Suspend

Those additional tariff sheets are the subject of a second filing with a cover letter, and the motion.¹ The motion, and the cover letter, clarify that Missouri-American Water Company intends the additional tariff sheets to constitute the filing of a tariff. It is not merely an exhibit illustrative of the pre-filed testimony.

The additional tariff sheets' effective date does not allow sufficient time to determine whether the tariffs are just and reasonable as the law requires,² so the Commission will grant the motion and suspend the tariffs.

In the motion, the company asks the Commission to order the same suspension as set forth in the Commission's order of November 18, 2009. In that order, the Commission imposed the full suspension allowed by law. Therefore, the Commission will grant the company's motion and suspend the tariffs for the time company requests.³

C. Tariff Number and Notice

The motion and cover letter also show that the company intends the additional tariff sheets to be within Tracking No. YW-2010-0310. Also, the suspension of the additional tariff sheets will require additional notice. The Commission will make orders addressing those matters.

¹ The second filing of the additional tariff sheets and the filing of the motion both occurred on November 19, 2010.

² Section 393.190.1, RSMo Supp. 2008.

³ Section 393.150.1, RSMo 2000.

THE COMMISSION ORDERS THAT:

1. The proposed water service tariff sheets filed on October 30, 2009, and separately re-filed on November 19, 2009, (“additional tariff sheets”) by Missouri-American Water Company are part of the tariff assigned Tariff Tracking No. YW-2010-0310.

2. The motion to Suspend Tariff Sheets filed by Missouri-American Water Company is granted and the additional tariff sheets are suspended.

3. The specific additional tariff sheets suspended in ordered paragraph 2 are:

P.S.C. MO No. 9
Original Title Sheet
Original Table of Contents Sheet No. 1 -5
Original Sheet No. 1 - 69
Original Appendix Sheet No. 1 - 24
Original Certificated Area Sheet No. 1 - 58

4. The additional tariff sheets specified in ordered paragraph 3 are suspended for 120 days, from November 29, 2009, to March 29, 2010.

5. The suspension ordered paragraph 4 is extended an additional six months beyond March 29, 2010, to September 29, 2010.

6. The Data Center of the Missouri Public Service Commission shall serve a copy of this order upon the county commission of each county in Missouri-American Water Company’s Missouri water service area and upon every party to Case No. WR-2008-0311.

7. The Missouri Public Service Commission’s Public Information Office shall make notice of this order available to the members of the General Assembly representing the residents of Missouri-American Water Company’s Missouri service area and to the news media serving those residents.

8. This order shall become effective immediately upon issuance.

BY THE COMMISSION

(S E A L)



Steven C. Reed
Secretary

Clayton, Chm., Davis, Jarrett, Gunn,
and Kenney, CC., concur.

Jordan, Regulatory Law Judge