

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

In the Matter of Missouri-American Water                    )  
Company’s Request for Authority to Implement            )            Case No. WR-2017-0285, et al.  
General Rate Increase for Water and Sewer                )  
Service Provided in Missouri Service Areas.                )

**RESPONSE TO THE STIPULATION OF FACT RELATED TO TRUE-UP, AND  
RESPONSE TO MOTION TO SUSPEND PROCEDURAL SCHEDULE**

**COMES NOW**, the Office of the Public Counsel (“OPC”), by and through undersigned counsel, and for its *Response to the Stipulation of Fact Related to True-Up and Response to Motion to Suspend Procedural Schedule*, does state as follows:

1.       On September 6, 2017, the Commission issued its *Order Scheduling Evidentiary Hearing and Setting Procedural Schedule*, which scheduled True-Up Direct to be filed on March 14, 2017.
2.       On March 14, 2017, OPC was the only party to file true-up direct testimony whereas the Missouri-American Water Company (“Company”) and the Staff of the Missouri Public Service Commission (“Staff”) filed a *Stipulation of Fact Related to True-Up and Motion to Suspend True-Up Procedural Schedule* (“Stipulation of Fact”).
3.       As of the date of this filing, the Stipulation of Fact does not have adequate supporting evidence.
4.       For example, the testimony in the evidentiary hearing undermines the Stipulation of Fact because Company witness Bruce Aiton testified that the “1.7 million should be

1,420,494.91”<sup>1</sup> Mr. Aiton continued, “1.7 million, I’ll say is a mistake. I asked the wrong accountant.”<sup>2</sup> Mr. Aiton’s testimony is provided below:

“Q Have you reviewed the data that – that forms the foundation of those conversations?

A Yes. Yes.

Q And you’ve tabulated the data and you agreed with it?

A I looked at the data and I agree with it.”<sup>3</sup>

5. At this time, no Company-Staff affidavit and no Company-Staff testimony has been filed to accompany the Stipulation of Fact.

6. As described in the direct true-up testimony of Ms. Keri Roth, the Company has shared underlying data with OPC. However, OPC does not agree that the Company’s underlying data matches the quantification of service line replacements and costs valuation stipulated to by Staff and the Company. For that reason, OPC objects and requests the Commission deny movant’s request to suspend the true-up proceedings.

**WHEREFORE**, for the foregoing reasons, OPC objects to the signatories Stipulation of Fact, requests the Commission deny the movants request to suspend the true-up procedure, and submits its *Response to the Stipulation of Fact Related to True-Up and Response to Motion to Suspend Procedural Schedule* for this Commission’s consideration.

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<sup>1</sup> WR-2017-0285, Evidentiary Hearing – Vol. 15, 3/5/2018, P 343:1

<sup>2</sup> Id. at P. 344: 11-12

<sup>3</sup> Id. at P. 344:22-25 to P. 345:1-5

Respectfully submitted,

/s/Ryan D. Smith

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**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail or by U.S. Mail, postage prepaid, on March 16, 2018 to all counsel of record.

/s/ Ryan D. Smith