

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

In the Matter of Missouri-American Water)	
Company's Request for Authority to)	Case No. WR-2015-0301
Implement a General Rate Increase for)	Case No. SR-2015-0302
Water and Sewer Service Provided in)	
Missouri Service Areas.)	

**OPC REPLY TO STAFF RESPONSE TO
ORDER DIRECTING STAFF TO FILE RECONCILIATION
AND MOTION TO LATE FILE REPLY**

COMES NOW the Missouri Office of the Public Counsel (“OPC”) and for its Reply to the Staff Response to Order Directing Staff to File Reconciliation and Motion to Late File Reply, states:

1. Notices of Appeal regarding cases that impact rates are required to include “a copy of the reconciliation required by subsection 4 of section 386.420.” Section 386.510 RSMo. Subsection 4 of section 386.420 states in part,

In any proceeding resulting in the establishment of new rates for a public utility...the commission shall cause to be prepared, with the assistance of the parties to such proceeding, and shall approve, after allowing the parties a reasonable opportunity to provide written input, a detailed reconciliation containing the dollar value and rate or charge impact of each contested issue decided by the commission, and the customer class billing determinants used by the commission to calculate the rates and charges approved by the commission in such proceeding. Such information shall be sufficient to permit a reviewing court and the commission on remand from a reviewing court to determine how the public utility's rates and charges, including the rates and charges for each customer class, would need to be temporarily and, if applicable, permanently adjusted to provide customers or the public utility with any monetary relief that may be due ... [emphasis added].

2. This case established new rates and section 386.420 RSMo requires the Commission to approve a reconciliation in any case establishing new rates. Water district

consolidation was a contested issue before the Commission that was also raised in the applications for rehearing. The billing determinants used to calculate the consolidated water district rates are required to be provided in a reconciliation so that, should any party prevail on appeal, the court and Commission can determine what monetary relief is due.

3. OPC intends to pursue an appeal of the Commission's Report and Order, and must file its notice of appeal no later than 30-days after the Commission denied OPC's Application for Rehearing. The Commission denied the applications for rehearing on July 20, 2016, making notices of appeal due no later than August 19, 2016. The reconciliation must be filed in time to allow parties to provide written input on the reconciliation, Section 386.420.4 RSMo, and it must also be filed in time to permit a party to include the reconciliation in their notice of appeal. Section 386.510 RSMo.

4. OPC requests the Commission order the Staff to file the required reconciliation no later than August 16, 2016 to enable the parties to provide written input on the reconciliation and to attach the reconciliation to any notice of appeal.

5. Counsel for OPC was out of the office between August 1, 2016 and August 11, 2016 and respectfully requests leave to late-file its reply one-day late as permitted by Commission discretion pursuant to rule 4 CSR 240-2.080(13).

WHEREFORE, the OPC respectfully offers this reply and urges the Commission to direct the Staff to file the reconciliation required by section 386.420.4 RSMo.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: /s/ Marc D. Poston

Marc D. Poston (#45722)
Chief Deputy Counsel
PO Box 2230
Jefferson City MO 65102
(573) 751-5558
(573) 751-5562 FAX
marc.poston@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all counsel of record this 12th day of August 2016.

Kevin Thompson
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Kevin.Thompson@psc.mo.gov

Department Staff Counsel
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
staffcounsel@psc.mo.gov

Dean L Cooper
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102
dcooper@brydonlaw.com

Timothy W Luft
727 Craig Road
St. Louis, MO 63141
Timothy.Luft@amwater.com

James M Fischer
101 Madison Street, Suite 400
Jefferson City, MO 65101
jfisherpc@aol.com

Larry W Dority
101 Madison, Suite 400
Jefferson City, MO 65101
lwdority@sprintmail.com

Bryan Wade
901 St. Louis St., Suite 1800
Springfield, MO 65806
bryan.wade@huschblackwell.com

Joshua Harden
4520 Main Street, Suite 1100
Kansas City, MO 64111
joshua.harden@dentons.com

Karl Zobrist
4520 Main Street, Suite 1100

Greg A Campbell
7730 Carondelet Ave., Suite 200

Kansas City, MO 64111
karl.zobrist@dentons.com

Clayton, MO 63105
gcampbell@hammondshinners.com

Emily Perez
7730 Carondelet Ave., Suite 200
St. Louis, MO 63105
eperez@hammondshinners.com

Gary Drag
3917A McDonald Ave.
St. Louis, MO 63116-3816
GDDrag@lawofficeofgarydrag.com

Stephanie S Bell
308 East High Street, Suite 301
Jefferson City, MO 65101
sbell@bbdlc.com

Marc H Ellinger
308 E. High Street, Ste. 301
Jefferson City, MO 65101
mellinger@blitzbardgett.com

Joseph P Bednar
304 E High St
Jefferson City, MO 65101
jbednar@spencerfane.com

Keith A Wenzel
304 East High Street
Jefferson City, MO 65101
kwenzel@spencerfane.com

Joel S Hane
702 Felix St.
St. Joseph, MO 64501
joel.hane@tshhlaw.com

Lee C Tieman
702 Felix Street
St. Joseph, MO 64501
lee.tieman@tshhlaw.com

Leland B Curtis
130 S. Bemiston, Suite 200
St. Louis, MO 63105
lcurtis@chgolaw.com

Edward J Sluys
130 S. Bemiston, Suite 200
St. Louis, MO 63105
esluys@lawfirmemail.com

Alexander Antal
301 West High St.
P.O. Box 1157
Jefferson City, MO 65102
Alexander.Antal@ded.mo.gov

Edward F Downey
221 Bolivar Street, Suite 101
Jefferson City, MO 65101
efdowney@bryancave.com

Diana M Vuylsteke
211 N. Broadway, Suite 3600
St. Louis, MO 63102
dmvuylsteke@bryancave.com

/s/ Marc Poston
