

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

In the Matter of the Joint Application of Moore)
Bend Water Company, Inc. and Moore Bend)
Water Utility, LLC for Authority of Moore Bend) **Case No. WM-2012-0335**
Water Company, Inc. to Sell Certain Assets to)
Moore Bend Water Utility, LLC)

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its recommendation on Moore Bend Water Utility, LLC’s (MBWU or “the Company”) application for a certificate of convenience and necessity hereby states:

1. On April 11, 2012, Moore Bend Water Company, Inc. (MBWC) and MBWU, filed a joint application for approval of the sale of certain assets from MBWC to MBWU.

2. On April 12, 2013, the Missouri Public Service Commission (Commission) issued an *Order Directing Filing of Application for Certificate of Convenience and Necessity*, which directed MBWU to file an application for a Certificate of Convenience and Necessity (CCN).

3. On April 24, 2013, the Commission issued an *Order Authorizing Transfer of Assets*, which was to be effective concurrently with the effective date of an order from the Commission granting MBWU a CCN.

4. On September 30, 2013, MBWU filed a *Notice of Amendment of Agreement, Acquisition of Real Estate, and Request for Issuance of Certificate of Convenience and Necessity*.

5. On October 1, 2013, the Commission issued an *Order Directing Staff to File a Recommendation*, in which it directed that Staff file a recommendation regarding the Company's request for a CCN no later than October 18, 2013.

6. In compliance with that *Order*, Staff has reviewed MBWU's September 30th filing and believes the Company's filing complies with the Commission's *Order Directing Filing of Application for Certificate of Convenience and Necessity*. Significantly, MBWU has addressed the Commission's concern regarding ownership of utility-related property by acquiring the real estate upon which the Company's two wells are located.

7. Therefore, and because the parties have already undertaken the transfer of assets approved in the Commission's *Order Authorizing Transfer of Assets*, Staff makes the following recommendations:

- a) that the Commission immediately issue to MBWU a CCN and authorize the Company to operate under the existing MBWC tariff on an interim basis until adoption notice tariff sheets become effective;
- b) that the Commission immediately cancel the existing CCN held by MBWC; and
- c) that MBWU submit an adoption notice tariff sheet, along with a revised index sheet similar to Attachment B to Staff's memorandum filed on July 9, 2012, within five days after the effective date of an order issued by the Commission approving the Company's application for a CCN.

WHEREFORE, Staff respectfully recommends the Commission approve Moore Bend Water Utility, LLC's application for a Certificate of Convenience and Necessity and grant such other relief as the Commission deems just and reasonable.

/s/ Amy E. Moore

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed with first-class postage, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 3rd day of October, 2013.

/s/ Amy E. Moore