

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

In the Matter of the Joint Application of)
Public Water Supply District No. 3 of)
Franklin County, Missouri, and the City of)
St. Clair, Missouri, for Approval of a Water)
Service Territorial Agreement in Franklin)
County, Missouri.)

CASE NO. WO-2006-0488

SUGGESTIONS IN SUPPORT OF STIPULATION AND AGREEMENT

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and for its Suggestions in Support of Stipulation and Agreement ("Suggestions") states the following to the Missouri Public Service Commission ("Commission").

1. On August 18, 2006, the Staff, Public Water Supply District No. 3 of Franklin County, Missouri ("District"), the City of St. Clair, Missouri ("City") and the Office of the Public Counsel ("OPC") (collectively, "the Parties") filed their Unanimous Stipulation and Agreement ("Stipulation") in the instant case.

2. As noted in the Stipulation, no customers of either the District or the City will realize a change in their service provider upon approval of the subject territorial agreement.

3. As noted in the Stipulation, the Parties agree that the Joint Application and the Territorial Agreement meet the requirements of the applicable Commission rules and Section 247.172, RSMo, respectively.

4. As noted in the Stipulation, the Parties agree that the Territorial Agreement is "not detrimental to the public interest" and that the Commission should so find.

5. The Stipulation contains provisions whereby the Staff may discuss the provisions of the Stipulation with the Commission at any Agenda session at which the Stipulation is noticed

to be considered by the Commission; provided that the Staff will provide the other signatories to the Stipulation with as much advance notice as possible of any request from the Commission for an explanation of the provisions of the Stipulation at any such Agenda session.

6. The Stipulation contains provisions whereby the Parties agree that an evidentiary hearing is not necessary in this instance, and contains sufficient case citations to support such a finding by the Commission (see Paragraphs 21 and 22 of the Stipulation).

7. The Staff believes that the Stipulation satisfactorily resolves all matters related to the subject Joint Application and Territorial Agreement.

8. The Staff believes that the collective provisions of the Joint Application, the Territorial Agreement and the Stipulation are sufficient to allow the Commission to issue an order finding that the four factors it routinely considers with regard to the approval of water service territorial agreements have been satisfied in this instance, where applicable.

WHEREFORE, the Staff respectfully submits these Suggestions for the Commission's consideration in this matter, and further respectfully requests that the Commission enter an order in this case consistent with the Parties' request as set out in their Stipulation.

Respectfully Submitted,

/s/ Keith R. Krueger

Keith R. Krueger
Deputy General Counsel
Missouri Bar No. 23857

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CERTIFICATE OF SERVICE

I hereby certify that copies of these Suggestions have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel and/or parties of record this 30th day of August 2006.

/s/ Keith R. Krueger

AFFIDAVIT OF DALE W. JOHANSEN


STATE OF MISSOURI)

) ss

Case No. WO-2006-0488


COUNTY OF COLE)

Dale W. Johansen, of lawful age, on his oath states: (1) that he is the Manager of the Missouri Public Service Commission's Water & Sewer Department; (2) that he participated in the preparation of the foregoing Suggestions in Support of Stipulation and Agreement ("Suggestions") and the Unanimous Stipulation and Agreement ("Stipulation") that is the subject of the foregoing Suggestions; (3) that he has knowledge of the matters set forth in the foregoing Suggestions and the subject Stipulation; and (4) that the matters set forth in the foregoing Suggestions and the subject Stipulation are true and correct to the best of his knowledge, information and belief.



Dale W. Johansen – Manager
Water & Sewer Department
Utility Operations Division

Subscribed and sworn to before me this 29th day of August 2006.


Notary Public

My Commission Expires:

9-23-2008

