

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Sarah Nangle,	)	
	)	
Complainant,	)	
	)	<b><u>File No. WC-2021-0227</u></b>
v.	)	
	)	
Missouri-American Water Company,	)	
	)	
Respondent	)	

## ORDER GIVING NOTICE OF CONTESTED CASE, DIRECTING ANSWER AND DIRECTING STAFF INVESTIGATION

Issue Date: January 21, 2021

Effective Date: January 21, 2021

On January 19, 2021, Sarah Nangle filed a complaint with the Missouri Public Service Commission against Missouri-American Water Company (MAWC). A copy of the complaint accompanies this notice. Ms. Nangle's complaint sets forth in writing MAWC's alleged violations sufficient to meet the minimal requirements of Section 386.390, RSMo. Commission Rule 20 CSR 4240-2.070(15) provides that any dispute involving less than \$3,000, is to proceed under the small formal complaint procedure. Since Ms. Nangle alleged an amount in dispute less than \$3,000, this complaint shall proceed under the Commission's Small Complaint procedure.<sup>1</sup> If any party believes this matter should not proceed under the small complaint procedure that party may file a motion consistent with the Commission's rule.

As required by Section 536.067(2)(f), RSMo, the Commission informs the parties that the Commission's provisions governing procedures before the Commission are found

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<sup>1</sup> 20 CSR 4240-2.070(15).

at Commission Rule 20 CSR 4240-2. Specific provisions relating to discovery are found at Commission Rule 20 CSR 4240-2.090. Commission Rule 4 CSR 240-2.070(15)(A) provides Spire 30 days to file a response to this complaint.

The Commission will also direct the Staff of the Commission to investigate this complaint and file a report. Commission Rule 20 CSR 4240-2.070(15)(D) requires Staff to file its report and recommendation within 45 days of a small formal complaint being filed, which may be extended upon a showing of good cause. The Commission finds that the time spent on activities, such as the required coordination between Staff and Spire, between Staff and Ms. Nangle, investigation, and data requests will exceed 45 days. The Commission finds that good cause exists to extend the time for Staff to file its report and recommendation from 45 to 60 days.

In the alternative, MAWC may file a written request that the complaint be referred to a neutral third-party mediator for voluntary mediation of the complaint. Upon receipt of a request for mediation, the 30-day time period shall be tolled while the Commission ascertains whether Ms. Nangle is also willing to submit to voluntary mediation. If Ms. Nangle agrees to mediation, the time period within which an answer is due shall be suspended pending the resolution of the mediation process. Additional information regarding the mediation process is enclosed. If Ms. Nangle declines the opportunity to seek mediation, MAWC will be notified in writing that the tolling has ceased and will also be notified of the date by which an answer or notice of satisfaction must be filed. That period will usually be the remainder of the original 30-day period.

**THE COMMISSION ORDERS THAT:**

1. The Commission's Data Center shall send, by certified mail, a copy of this notice and order and a copy of the complaint to MAWC at:

Missouri-American Water Company  
Legal Department  
727 Craig Road  
St. Louis MO 63141

2. MAWC shall file an answer to this complaint or request for mediation no later than February 20, 2021, and serve a copy upon the Complainant, Sarah Nangle. All pleadings (the answer, the notice of satisfaction of complaint or request for mediation) shall be mailed to:

Secretary of the Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102-0360

or filed using the Commission's electronic filing and information service.

3. The Staff of the Missouri Public Service Commission shall investigate this complaint and file a report with the Commission no later than March 22, 2021.

4. The Commission's Data Center shall send a copy of this notice, the Commission's procedural rules, 20 CSR 4240-2, a copy of the handbook titled "How to Present Your Formal Complaint Before the Missouri Public Service Commission", and a copy of the Commission's information sheet regarding mediation to the Complainant, Sarah Nangle.

5. This order is effective when issued.



**BY THE COMMISSION**

A handwritten signature in dark ink that reads "Morris L. Woodruff". The signature is written in a cursive style.

Morris L. Woodruff  
Secretary

John T. Clark, Senior Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,  
on this 21<sup>st</sup> day of January, 2021.