

Charles Harter, )  
)  
Complainant, )  
)  
v. ) **File No. WC-2013-0468**  
)  
Missouri-American Water Company, )  
)  
Respondent. )

**COMES NOW** Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and files this Report and Recommendation with the Missouri Public Service Commission (“Commission”) and states as follows:

2. On June 20, the Commission issued its *Order Directing Staff To Investigate And To File A Report and Recommendation*. The Order directed Staff to review the *Complaint* and to file a report and recommendation no later than July 12.

<sup>1</sup> All dates herein refer to calendar year 2013, unless otherwise specified.

4. Attached hereto is Staff's Report. The Report is being filed as highly confidential pursuant to Commission Rule 4 CSR 240-2.070 (11).

5. As discussed therein, Staff has conducted an investigation and reviewed information provided by both the Complainant and MAWC to come to its recommendation. Staff is sympathetic to the situation of disconnection of service. However, this sympathy cannot create a violation where one does not exist. Staff recommends the Commission find MAWC has not violated any Commission statute, rule, order or MAWC specific tariff in the provision of service to the Complainant.

6. MAWC is current on the submission of its calendar year 2012 annual report, but has not made its quarterly payment of its fiscal year 2014 assessment. The quarterly payment was due on July 15.

7. A Commission decision in this matter may affect or be affected by the Complainants' other matter currently before the Commission, Case No. EC-2013-0491, Charles Harter, Complainant vs. Union Electric Company d/b/a Ameren Missouri, Respondent.

**WHEREFORE**, Staff files its Report and Recommendation for the Commission's information and consideration and recommends the Commission find Missouri-American Water Company has not violated any Commission statute, rule, order or MAWC specific tariff in the provision of service to the Complainant.

Respectfully submitted,

**/s/ Jennifer Hernandez**

Jennifer Hernandez  
Senior Staff Counsel  
Missouri Bar No. 59814  
Attorney for the Staff of the  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102  
(573) 751- 8706 (Telephone)  
(573) 751-9285 (Fax)  
[jennifer.hernandez@psc.mo.gov](mailto:jennifer.hernandez@psc.mo.gov)

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served this 2<sup>nd</sup> day of August 2013 by: United States Postal Mail, postage prepaid, to Charles Harter, 827 S. Sappington, St. Louis, MO 63126; electronically to Charles Harter at [harleycharter@sbcglobal.net](mailto:harleycharter@sbcglobal.net); electronically to Timothy W. Luft, counsel for Missouri-American Water Company at [Timothy.Luft@amwater.com](mailto:Timothy.Luft@amwater.com); and electronically to the Office of the Public Counsel at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov).

**/s/ Jennifer Hernandez**