

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Ralph Rudolph,)	
)	
Complainant,)	
)	
v.)	<u>File No. WC-2022-0162</u>
)	
Missouri-American Water Company,)	
)	
Respondent)	

NOTICE OF EXTENSION TO ISSUE REPORT AND ORDER FOR GOOD CAUSE

Issue Date: March 18, 2022

On December 16, 2021, Ralph Rudolph filed a complaint with the Commission against Missouri-American Water Company (MAWC). Since the amount in dispute alleged in Mr. Rudolph's complaint is less than \$3,000, this matter has been designated a small formal complaint under Commission Rule 20 CSR 4240-2.070(15).

The Commission granted its Staff an extension of time to file its investigative report and recommendation "to analyze the relevant data in light of the law and regulations related to water meter testing."¹ Once Staff filed its report on March 1, 2022, MAWC requested additional time to file a response, "given the more global nature of many of Staff's recommendations."² The Commission granted the request and allowed MAWC until March 30, 2022, to file its response to the Staff report.

¹ *Staff's Request for Second Extension of Deadline to File Report and Recommendations*, filed by the Staff of the Commission on February 18, 2022.

² *Motion for Extension Related to Response to Staff's Report and Recommendations*, filed by MAWC on March 8, 2022.

On March 17, 2022, MAWC reiterated its request for mediation, filed on January 18, 2022, in its answer to Mr. Rudolph's complaint and requested that a procedural conference or approval of a procedural schedule be delayed until Mr. Rudolph indicates whether he is willing to submit to meditation.³ On March 18, 2022, the Commission ordered Mr. Rudolph to file a response by March 28, 2022, indicating whether he consents to participate in mediation. In the same order, the Commission suspended all deadlines in the case until further order of the Commission.

Commission Rule 20 CSR 4240-2.070(15)(G) states that after affording the parties reasonable opportunity for discovery and a fair hearing, the regulatory law judge in a small formal complaint case shall issue a recommended report and order within 100 days following the filing of the complaint. However, the time period may be extended upon a finding of good cause by the regulatory law judge. The 100-day period in this case expires on March 26, 2022.

Good cause exists to extend the time period allowed to resolve this matter. Staff's report recommends measures that extend beyond addressing Mr. Rudolph's complaint that, accordingly, dictate further investigation and consideration on the part of MAWC beyond the four corners of the complaint. Notwithstanding that factor, the parties must still be afforded reasonable opportunity for discovery and a fair hearing that imposition of the 100-day deadline would not allow. Therefore, the time period under the Commission rule to issue a recommended report and order will be extended for good cause.

³ *Motion to Suspend Date for Filing of Proposed Procedural Conference or Procedural Schedule*, filed by MAWC on March 17, 2022.



BY THE COMMISSION

A handwritten signature in black ink that reads "Morris L. Woodruff".

Morris Woodruff
Secretary

Kenneth J. Seyer, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 18th day of March, 2022.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 18th day of March, 2022.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

March 18, 2022

File/Case No. WC-2022-0162

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Morris L. Woodruff
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.