

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

In the Matter of the Joint Application of)
Hickory Hills Water & Sewer Co., Inc. and)
Missouri-American Water Company, for)
MAWC to Acquire Certain Water and Sewer)
Assets of Hickory Hills and, in Connection)
Therewith, Issue Indebtedness and)
Encumber Assets.)

Case No. WA-2016-0019

**STAFF’S OPPOSITION TO OPC’S REQUEST
FOR LOCAL PUBLIC HEARING**

COMES NOW the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Opposition to OPC’s Request for Local Public Hearing*, states as follows:

1. Hickory Hills Water & Sewer Company, Inc. and Missouri-American Water Company (“MAWC”) filed a *Joint Application and, if Necessary, Motion for Waiver* to sell and transfer utility assets from Hickory Hills Water & Sewer Company to Missouri-American on July 28, 2015, thereby initiating Case Nos. WA-2016-0019 and SA-2016-0020.
2. On August 3, 2015, the Missouri Department of Natural Resources (“DNR”) was allowed to intervene.
3. The Commission consolidated Case No. SA-2016-0020 into Case No. WA-2016-0019 on August 18, 2015.
4. On October 2, 2015, Staff recommended that the proposed acquisition be approved.
5. On October 9, 2015, the Office of the Public Counsel (“OPC”) indicated that it would not oppose the acquisition, although it does not necessarily agree with all

of the elements of Staff's *Recommendation*, and further requested a local public hearing because, first, it is concerned that the customers have not been properly notified of the pending transfer; second, because hearing from customers is a critical part of the Commission's process; and third, because customers should have a chance to voice any concerns they may have and meet and put questions to the new proprietor.

6. Staff is opposed to the request for a local public hearing. Hickory Hills Water & Sewer Company has been a matter of ongoing concern to the Commission and its Staff, as well as DNR, OPC, and its customers, since before it went into receivership in 2007. The Commission held a local public hearing for Hickory Hills customers as recently as August 11, 2014, as part of Case No. WR-2014-0167. Public meetings were also held in 2013. Other meetings, formal and informal, have been held over the several years that Hickory Hills has been a problem system. Staff is of the opinion that another local public hearing is unnecessary in this case. What the customers want, and have always wanted, is a viable solution and that is now at hand.

WHEREFORE, Staff recommends that OPC's request for a local public hearing be denied.

Respectfully submitted,

/s/ Kevin A. Thompson

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been served, by hand delivery, electronic mail, or First Class United States Mail, postage prepaid, to all parties of record on the Service List maintained for this case by the Data Center of the Missouri Public Service Commission, on this 13th day of October, 2015.

/s/ Kevin A. Thompson