

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

In the Matter of the Application of Missouri-)
American Water Company for the Approval)
of an Agreement with the City of Kirkwood,)
Missouri, to Construct Transmission Mains)
and Points of Delivery and to Sell and Deliver)
Water for Resale and Related Tariff Sheets)
)

Case No. WO-2005-0286

**STAFF'S SECOND MOTION TO EXTEND DEADLINE
TO FILE RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission, by and through its attorney, and, for its Second Motion to Extend Deadline to File Recommendation, states to the Missouri Public Service Commission as follows:

1. On February 24, 2005, Missouri-American Water Company applied for authority to build transmission mains and points of delivery to sell and deliver water to the City of Kirkwood, and filed a related tariff sheet, bearing an effective date of March 26, 2005. The Commission established Tariff Tracking No. YW-2005-0662 for this tariff and subsequently ordered the Staff to file its Recommendation in this case by no later than March 14, 2005. Missouri-American subsequently filed a letter extending the tariff effective date to April 25, 2005, and the Commission granted the Staff's motion to extend the deadline for filing its recommendation in this case to April 11, 2005.

2. On March 30, 2005, the Office of the Public Counsel filed a Motion for a Local Public Hearing. Missouri-American initially opposed this request for a local public hearing, but later withdrew its opposition to OPC's request. The Commission has not yet ruled on the request for a

local public hearing, so it is not known whether there will be a local public hearing or, if so, when the hearing will be held.

3. The Staff has not yet been able to complete its review of Missouri-American's application or to prepare its recommendation in this case. The Staff believes it will need at least an additional 30 days to prepare its recommendation. In addition, if the Commission does conduct a local public hearing, it would be premature for the Staff to file its recommendation before the conclusion of the hearing, since it is possible that the Staff's conclusions could change as a result of the local public hearing.

4. Missouri-American has informed the undersigned counsel for the Staff that it will file with the Commission a letter, extending the effective date of the tariff by thirty days, to May 25, 2005.

5. The Staff therefore requests that its deadline to file a recommendation in this case be extended to May 13, 2005, which will allow the Commission to review and act upon the Staff's recommendation prior to the new effective date of the subject tariff.

WHEREFORE, the Staff moves the Commission for its order extending the deadline for the Staff to file its recommendation in this case.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ Keith R. Krueger
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or e-mailed to all counsel of record this 13th day of April, 2005.

/s/ Keith R. Krueger