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

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In the Matter of the Application of Missouri-American Water Company, for the approval of an Agreement with the City of O'Fallon, Missouri to Sell and Deliver Water for Resale and a Related Tariff Sheet

File No. WO-2023-0193 (YW-2023-0205)

## MOTION FOR EXPEDITED TREATMENT AND APPROVAL OF COMPLIANCE TARIFF SHEET

COMES NOW Missouri-American Water Company (MAWC or Company), by and through counsel, and for its motion for expedited treatment pursuant to 20 CSR 4240-2.080(14) and its request for approval of its revised water tariff sheet being submitted pursuant to the *Order Granting Application* issued herein on May 18, 2023, respectfully states as follows to the Missouri Public Service Commission ("Commission"):

1. With its *Order Granting Application*, the Commission directed MAWC to "file a tariff identical to or substantially similar to the exemplar tariff filed with its application." On this date, MAWC has caused to be filed with the Commission a revised water sheet consistent with that direction (*Tracking Number YW-2023-0205*).

2. MAWC's compliance water tariff sheet bears an issue date of May 19, 2023, and a proposed effective date of June 18, 2023 (30 days thereafter). MAWC, however, does not believe that thirty days' notice for the compliance tariffs to become effective is necessary or appropriate under the circumstances.

3. MAWC filed the Application in this case on December 12, 2022. The City of O'Fallon is the only intervenor in the case. On April 27, 2023, Staff filed its recommendation that the Commission approve the Agreement between the Company and the City, along with the corresponding Tariff filed with the Company's Application and no party opposed the Staff

Recommendation. Further, the City of O'Fallon seeks to supplement its water supply to meet anticipated high demand in the immediate future, to best serve the public.

4. Good cause for allowing these revised tariffs to become effective on less than thirty days' notice is shown by the following: (a) the tariff sheet is being filed in compliance with the Commission's *Order Granting Application*; (b) the Commission and the public have been aware of this matter for several months; and, (c) the City of O'Fallon is seeking to supplement its water supply to address anticipated demand. As such, the grant of this motion will not have a negative effect on MAWC customers or the public in general.

5. MAWC states that this motion is being filed as soon as the subject tariff sheet could be prepared after issuance of the Order, and, pursuant to Commission Rule 20 CSR 4240-2.080(14)(A), requests that the Commission act on this motion as soon as possible and issue its order approving MAWC's compliance tariff sheet to take effect on June 1, 2023, or as soon thereafter as is practicable.

WHEREFORE, MAWC respectfully requests that the Commission issue an order approving the Company's compliance tariff sheet (*Tracking Number YW-2023-0205*) effective June 1, 2023, and granting such other and further relief as the Commission deems necessary or appropriate.

Respectfully submitted,

Dean L. Cooper, Mo. Bar #36592 BRYDON, SWEARENGEN & ENGLAND P.C. 312 East Capitol Avenue P.O. Box 456 Jefferson City, MO 65102-0456 Telephone: (573) 635-7166 Facsimile: (573) 635-0427 dcooper@brydonlaw.com Timothy W. Luft, Mo Bar #40506 Rachel L. Niemeier, Mo. Bar #56073 **MISSOURI-AMERICAN WATER COMPANY** 727 Craig Road St. Louis, MO 63141 (314) 996-2279 (314) 997-2451 (telefax) <u>Timothy. Luft@amwater.com</u> <u>Rachel.Niemeier@amwater.com</u>

## ATTORNEYS FOR MISSOURI-AMERICAN WATER COMPANY

## **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail to all counsel of record this 19<sup>th</sup> day of May 2023.

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