

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

In the Matter of Missouri-American Water     )  
Company's Proposed Tariff Sheet Filing     )     Case No. WT-2020-0353  
  )

**PUBLIC COUNSEL’S RESPONSE TO STAFF’S RECOMMENDATION**

Comes now the Office of Public Counsel (Public Counsel), and for its response to Staff’s recommendation states:

1.     Public Counsel does not oppose the Staff’s Recommendation to grant Missouri American Water Company’s (MAWC) request to transfer ownership of service lines to MAWC as those lines are replaced in MAWC’s St. Louis County service territory. However, Public Counsel requests more explanation as to why MAWC is not seeking similar treatment throughout its service territory so that all customers are treated equally.

2.     Under MAWC’s proposal, Private Fire Service Lines and Master Water Service Line customers in its Joplin and St. Joseph districts would continue to own and be responsible for their service lines without explaining why those lines should be treated differently, *i.e.*, that it is not unduly discriminatory for MAWC not to become the owner of, and responsible for, that portion of those lines in those districts as they are replaced.

3.     In an effort to learn MAWC’s rationale for this disparate treatment, Public Counsel issued the following data request, to which it received the response following the request:

**DATA REQUEST**

1. For inclusion in the Rules and Regulations Governing the Rendering of Water Service section of its tariff Missouri-American Water Company proposes the following definitions relating to service lines on tariff sheets P.S.C. MO NO. 13 3rd Revised Sheet Nos. R 6 and 7:

51. “Service Line” or “Water Service Line”: Generally referring to a pipeline between the main and the Customer’s premises, and includes related valves, fittings and other

appurtenances except the water meter, used for the purpose of providing water service to the Customer, and further defined as follows:

- a) “Customer’s Service Line or Customers Water Service Line”
  - i) For all Private Fire Service Lines and Master Water Service Lines in the Joplin and St. Joseph Operations, that portion of the service line from and including the Corporation Stop at the Company owned main to the structures or premises to be supplied.
  - ii) For all other operations excluding Private Fire Service Lines and Master Water Service Lines in the Joplin and St. Joseph Operations, that portion of the service line from and including:
    - (1) That portion of the tailpiece exiting the meter box at or near the curb line or property line, to the structures or premises to be supplied; or,
    - (2) If no meter box is present the Customer’s Service Line shall be that portion of the service line from the curb stop to the premises; or,
    - (3) If neither a meter box or a curb stop exists within five (5) feet of the property line, or the curb line if the property line is in the street or roadway, the Customer service line shall be the portion of the service line that lies between the property line, or curb line if the property line is within the street or roadway, and the Customer’s premises.

Why has Missouri-American Water Company included as a change a definition of “Customer’s Service Line or Customers Water Service Line” for Private Fire Service Lines and Master Water Service Lines in the Joplin and St. Joseph Operations of Missouri-American Water Company that differs from the definition it proposes for its other operations?

RESPONSE:

The exceptions for Private Fire Lines and Master Service Lines in Joplin and St. Joseph are in MAWC’s currently approved tariff sheets R6 and R7. The proposed change in this case is only to remove the St. Louis County exception from this definition.

4. Because the response did not provide a nondiscriminatory rationale for the disparity in treatment, Public Counsel, on June 24, 2020, issued another data request to Missouri-American Water Company. That request, and Missouri-American Water Company’s response, follow:

### **DATA REQUEST**

1.1 In response to Public Counsel’s request for why Missouri-American Water Company included as a change a definition of “Customer’s Service Line or Customers Water Service Line” for Private Fire Service Lines and Master Water Service Lines in the Joplin and St. Joseph

Operations of Missouri-American Water Company that differs from the definition it proposes for its other operations, Missouri-American Water Company responded, “The exceptions for Private Fire Lines and Master Service Lines in Joplin and St. Joseph are in MAWC’s currently approved tariff sheets R6 and R7. The proposed change in this case is only to remove the St. Louis County exception from this definition.”

Why are those exceptions for Private Fire Lines and Master Service Lines in Joplin and St. Joseph in MAWC’s tariff, why should they remain in Missouri-American Water Company’s tariff, and why has not Missouri-American Water Company proposed to eliminate those exceptions as well as the exception for St. Louis County?

Information Provided:

Those exceptions have been in the tariffs for many years. MAWC is unsure of the origin. As indicated in the Application, the situation in St. Louis County was the impetus for the proposed changes to the St. Louis County provisions. MAWC had no specific justification for changes to the private file lines and master service lines treatment in Joplin and St. Joseph.

5. Public Counsel is not raising the foregoing issues to oppose MAWC being responsible for service lines from their interconnection with its mains to some point on its customers’ premises—meter or otherwise, but a change in utility/customer responsibility for facilities must be rational and, any exception(s) must be rational as well.

Wherefore, Public Counsel requests the Commission to direct both its Staff and MAWC to explain why the Commission should approve the continuation of different treatment for Fire Service Lines and Master Water Service Lines in MAWC’s Joplin and St. Joseph service territories than in its other service territories.

Respectfully,

/s/ Nathan Williams

Nathan Williams  
Chief Deputy Public Counsel  
Missouri Bar No. 35512

Office of the Public Counsel  
Post Office Box 2230  
Jefferson City, MO 65102  
(573) 526-4975 (Voice)  
(573) 751-5562 (FAX)  
[Nathan.Williams@opc.mo.gov](mailto:Nathan.Williams@opc.mo.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 6<sup>th</sup> day of July 2020.

/s/ Nathan Williams