

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 12th day of
July, 2017.

In the Matter of Missouri-American Water)	<u>File No. WR-2017-0285, et al.</u>
Company's Request for Authority to Implement)	Tracking No. YW-2017-0276
General Rate Increase for Water and Sewer)	Tracking No. YW-2017-0277
Service Provided in Missouri Service Areas.)	Tracking No. YS-2017-0278

**NOTICE OF CONTESTED CASE AND ORDER SUSPENDING TARIFF AND
DELEGATING AUTHORITY**

Issue Date: July 12, 2017

Effective Date: July 12, 2017

On June 30, 2017, Missouri-American Water Company ("Missouri-American") submitted tariff sheets designed to implement a general rate increase for water and sewer services. The tariff sheets bear a July 31, 2017 effective date.

A. Suspension

The tariff effective dates allow insufficient time for the Commission to determine whether the tariffs are just and reasonable, as the law requires,¹ so the Commission will suspend the tariffs.² The Commission may suspend a tariff for 120 days beyond the tariff's effective date.³ If that period is not enough time to conclude a full hearing on the tariff's propriety, the Commission may extend the suspension for a further six months.⁴ The Commission's experience demonstrates that it cannot conclude a full hearing on the tariff's propriety in 120 days, so the Commission will order a six-month extension of the suspension.

¹ Section 393.190.1, RSMo 2016. All statutory references are to the 2016 Missouri Revised Statutes.

² Section 393.150.

³ Section 393.150.1.

⁴ Section 393.150.2.

B. Notice of Contested Case

Suspension of the tariff may occur only pending a “full” hearing and decision on the tariff’s propriety.⁵ The provision for a full pre-decision hearing signifies that this action is now a “contested case.”⁶ A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities⁷ and a decision without a hearing,⁸ including by stipulation and agreement. This order and notice does not require any party to file an answer. The Commission’s discovery regulations are at Commission regulation 4 CSR 240-2.090.

C. Delegation as to Discovery

The Commission may delegate any adjudicative authority to the regulatory law judge assigned to this action.⁹ To ensure that all discovery disputes are ruled upon expeditiously, the Commission will delegate its authority to the regulatory law judge assigned to this action to rule on discovery disputes raised at the discovery conferences and to rule on all motions to compel discovery. The Commission will set forth further provisions for discovery by separate order.

THE COMMISSION ORDERS THAT:

1. The tariff sheets assigned Tracking Nos. YW-2017-0276, YW-2017-0277, and YS-2017-0278 are suspended. The specified tariff sheets are suspended from July 31, 2017, for 120 days plus six months to May 28, 2018.

⁵ Section 393.150.1.

⁶ Section 536.010(4).

⁷ Section 536.060(3).

⁸ 4 CSR 240-2.115.

⁹ Section 386.240.

2. The regulatory law judge assigned to this action shall have full authority to rule on any discovery dispute, including any motion to compel and may make any such ruling at a discovery conference.

3. This order shall be effective when issued.



BY THE COMMISSION

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

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and
Coleman, CC., concur.

Burton, Senior Regulatory Law Judge.

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 12th day of July 2017.




Morris L. Woodruff
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

July 12, 2017

File/Case No. WR-2017-0285

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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.