

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

Kenny and Cathy Cox,)	
)	
Complainants,)	
)	
v.)	
)	Case No. WC-2008-0302
Missouri-American Water Company,)	
)	
Respondent.)	

STAFF'S REPORT OF INVESTIGATION

COMES NOW the Staff of the Missouri Public Service Commission and, for its Report of Investigation, states to the Missouri Public Service Commission as follows.

On March 12, 2008, Kenny and Cathy Cox filed a complaint against Respondent Missouri-American Water Company. On March 17, 2008, the Commission ordered the Staff to investigate this complaint and to file a report of its investigation of the matter by no later than April 23, 2008. The Commission subsequently extended, to April 30, 2008, the deadline for the Staff to file a report of its investigation.

Attached hereto as Attachment A and incorporated herein by reference is the Report of the Staff, together with four attachments.

The Staff finds that Missouri-American properly metered the water that it delivered to Complainants' residence. Complainants first contacted Missouri-American about their bill on April 26, 2007, and on May 4, 2007, they reported to Missouri-American a leak between the water meter and Complainants' house. The Complainants subsequently repaired that leak and then requested that Missouri-American adjust their bill in an amount equal to the excess usage that resulted from the leak.

Neither Missouri-American's tariff nor any Commission rule requires Missouri-American to provide Complainants with any leak adjustment. In accordance with Company policy, however, Missouri-American did credit Complainants' account with a leak adjustment in an amount equal to one-half of the excess use during the two highest-usage months of the four months immediately preceding the leak.

Complainants also sought an order from the Commission ordering Missouri-American to reimburse them for the time they spent discussing their complaints with Missouri-American on the telephone. The Commission does not have the legal authority to grant monetary relief for compensation for past overcharges or damages. *May Department Stores Company v. Union Electric Light & Power Company, et al.*, 107 S.W.2d 41 (Mo., 1937).

WHEREFORE, the Staff submits its Report of Investigation for the Commission's consideration, and requests that the Commission dismiss the Complainants' Complaint.

Respectfully submitted,

/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 on this 30th day of April, 2008.

/s/ Keith R. Krueger