

**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)
Chariton County Public Water Supply)
District #2 to Sell and Deliver Water for)
Resale and Related Tariff Sheets.) Case No. WO-2013-

APPLICATION FOR THE APPROVAL OF AGREEMENT AND TARIFF

COMES NOW Missouri-American Water Company (“MAWC”) and, in support of its Application for approval of an agreement with the Chariton County Public Water Supply District #2 (hereinafter “District”) to sell and deliver water for resale, and related tariff sheets, respectfully represents and states:

PARTIES

1. MAWC is a Missouri corporation with its principal office and place of business at 727 Craig Road, St. Louis, Missouri 63141. MAWC is a Missouri corporation in good standing. A Certificate of Good Standing from the Office of the Missouri Secretary of State was filed in Commission Case No. WM-2001-309 and is hereby incorporated by reference in accordance with Commission rule 4 CSR 240-2.060 (I)(G). MAWC currently provides water service to the public in and around the cities of St. Joseph, Joplin, Brunswick, Mexico, Warrensburg, Parkville, Riverside, Jefferson City, and parts of St. Charles, Platte, Warren, Lincoln, Cole, Callaway, Pettis, Taney, Stone, Barry, Christian, Benton, Greene and Newton Counties Missouri, and most all of St. Louis County, Missouri. MAWC currently provides water service to approximately 452,000 customers. MAWC provides sewer service to approximately 4,000 customers to the

cities of Parkville and Cedar Hill, as well as Warren, Morgan, Cole, Callaway, Pettis, and Jefferson Counties, Missouri. MAWC is a "water corporation" and a "public utility" as those terms are defined in Section 386.020 and 393.1000 (7) RSMo. 2000, and is subject to the jurisdiction and supervision of the Commission as provided by law. Other than cases that have been docketed at the Commission, MAWC has no pending action or final unsatisfied judgments against it from any state or federal agency or court within the past three (3) years that involve customer service. MAWC has no annual report or assessment fees that are overdue.

2. Pleadings, notices, orders and other correspondence concerning this

Application should be addressed to:

Timothy W. Luft
Missouri-American Water Company
727 Craig Road
St. Louis, MO 63141
(314) 996-2279 (T)
(314) 997-2451 (F)
timothy.luft@amwater.com

FACTS

3. The statutory provisions under which MAWC makes this Application are §393.140 and §393.150, RSMo 2000. Section 393.140 gives the Commission general jurisdiction over and access to the company books and records, and §393.150 states in pertinent in part:

393.150. Commission may fix rates after hearing-stay increase-burden of proof.--

1. Whenever there shall be filed with the commission by any . . . water corporation . . . any new form of contract or agreement . . . relating to . . . any privilege . . . the commission shall have, and it is hereby given, authority, to enter upon a hearing concerning the propriety of such . . .

form of contract or agreement . . . ; and after full hearing; whether completed before or after the . . . form of contract or agreement . . . goes into effect, the commission may make such order in reference to such . . . form of contract or agreement . . . or practice as would be proper in a proceeding . . .

* * *

Case law indicates that the Commission may act upon such an application without a hearing under the file and suspend provisions of §393.150, if and when it so determines.

4. The District has requested to purchase water from MAWC at wholesale to be sold and delivered for resale by the District within its boundaries. MAWC has water supply available in its Brunswick district for this purpose and is agreeable to providing the water supply desired by the District.
5. Attached hereto and marked as Highly Confidential (“HC”) Appendix A, a copy of the executed agreement between MAWC and District (the “Agreement”).
6. Attached as Appendix B are the following proposed tariff sheets:

RT 28

These tariff sheets are designed to implement the provisions of the Agreement.
7. MAWC requests that the Commission authorize it to enter into and perform in accordance with an Agreement in substantial form as that attached hereto as Appendix
8. The Agreement is in the public interest because MAWC has the water available, the District benefits in that it will obtain a source of supply at a competitive price, and the agreed to price is greater than MAWC’s marginal cost to produce the water.

Accordingly, the Agreement will offset certain existing fixed costs and thereby benefit existing Brunswick District customers.

WHEREFORE, MAWC respectfully requests that the Commission issue its order:

- (a) Authorizing MAWC to enter into an Agreement in substantial form as that attached hereto as Highly Confidential Appendix A;
- (b) Approving MAWC's tariff sheets attached hereto as Appendix B to be effective on May 1, 2013, or, a date ten (10) working days after the effective date of a Commission Order; and,
- (c) Granting such further relief as is consistent with this application.

Respectfully submitted,



Timothy W. Luft #40506
MISSOURI-AMERICAN WATER COMPANY
727 Craig Road
St. Louis, MO 63141
(314) 996-2279 (T)
(314) 997-2451 (F)
timothy.luft@amwater.com

ATTORNEY FOR APPLICANT

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 1st day of April, 2013, to:

Kevin Thompson
General Counsel's Office
Kevin.Thompson@psc.mo.gov

Christina Baker
Office of the Public Counsel
christina.baker@ded.mo.gov



STATE OF MISSOURI)
) ss
COUNTY OF ST. LOUIS)

I, Greg Weeks, state that I am Vice-President of Operations for Missouri-American Water Company ("MAWC"); that I have read the above foregoing document; that the statements contained therein are true and correct to the best of my information, knowledge, and belief; and, that I am authorized to make this statement on behalf of MAWC.



Greg Weeks
Vice-President - Operations

Subscribed and sworn to before me this 1st day of April, 2013.



Notary Public

My Commission Expires:

August 2, 2016

(SEAL)

