

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

In the Matter of the Joint Application of)
Missouri-American Water Company and)
Tri States Utility, Inc. for Authority for)
Missouri-American Water Company to Acquire) File No. WO-2013-0517
Certain Assets of Tri States Utility, Inc. and,)
in Connection Therewith, Certain Other)
Related Transactions.)

MAWC’S RESPONSE TO STAFF’S AMENDED RECOMMENDATION

COMES NOW Missouri-American Water Company (“MAWC”) and, in response to Staff’s Amended Recommendation, states as follows to the Missouri Public Service Commission (“Commission”):

1. On August 5, 2013, the Staff of the Commission filed a recommendation to approve the application subject to several requirements to be imposed upon MAWC and Tri States.
2. On August 6, 2013, the Commission issued its Order Directing Filing wherein it directed MAWC and Tri States Utility, Inc. to respond to the Staff Recommendation, “specifically addressing the requirements set out therein,” no later than August 9, 2013.
3. On August 9, 2013, MAWC filed its Motion to Extend Time to File Response and requested that the date for filing responses be extended to August 13, 2013. The Commission granted that motion.
4. On August 12, 2013, after additional discussion among the parties, Staff filed its Amended Recommendation. MAWC has reviewed Staff’s Amended Recommendation, to include the conditions identified therein, and states that, with one clarification, MAWC has no

objection to the Amended Recommendation

5. The Amended Recommendation states, in part, that “Immediately upon acquisition of the Tri States system, MAWC will transition the involved customers into its billing system” Staff further suggests the following condition:

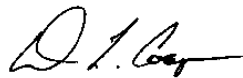
That MAWC “provide to the EMSU staff a completed “transition schedule” for the actions necessary to successfully transition former customers of Tri States Utility, Inc. into the MAWC customer information system and implementation dates for when bills will begin to be issued to Tri States customers by MAWC within thirty (30) days of the Commission order in this case.”

MAWC agrees to provide a transition schedule associated with this effort within the thirty (30) period suggested by the Staff condition and will work to transition the Tri States customers to the MAWC billing system as soon as possible after acquisition.

6. Lastly, the Office of the Public Counsel (“OPC”) has filed its response to Staff’s Amended Recommendation and indicated that it does not object to the Amended Recommendation. In that response, OPC expressed its concern about the accumulated deferred income tax (“ADIT”) reserve, but further indicated that this is an issue that can be addressed in a future rate case. MAWC does not object to addressing the ADIT issue in this fashion for purposes of this case.

WHEREFORE, MAWC respectfully requests that the Commission consider the filings made by the parties and, thereafter, issue its order approving the Application, as supplemented.

Respectfully submitted,



Dean L. Cooper, MBE #36592
BRYDON, SWEARENGEN & ENGLAND P.C.
312 E. Capitol Avenue
P.O. Box 456

Jefferson City, MO 65012
(573) 635-7166 telephone
(573) 635-3847 facsimile
dcooper@brydonlaw.com

John J. Reichart, MBE #59479
Timothy W. Luft, MBE #40506
Corporate Counsel
MISSOURI-AMERICAN WATER COMPANY
727 Craig Road
St. Louis, MO 63141
(314) 996-2279 telephone
(314) 997-2451 facsimile
timothy.luft@amwater.com
john.reichart@amwater.com

**ATTORNEYS FOR MISSOURI-AMERICAN
WATER COMPANY**

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on August 13, 2013, to the following:

Office of the General Counsel
Governor Office Building
staffcounsel@psc.mo.gov

Office of the Public Counsel
Governor Office Building
opcservice@ded.mo.gov

Sue A. Schultz
Sandberg Phoenix & von Gontard P.C.
sschultz@sandbergphoenix.com

