# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

William C. Fox, Sr.,

Complainant,

vs.

Case No.: WC-2019-0084

Missouri-American Water Company,

Respondent.

## ORDER SETTING DEADLINE FOR RESPONSES TO STAFF REPORT

Issue Date: November 19, 2018 Effective Date: November 19, 2018 On September 27, 2018, the Complainant, Mr. Fox, filed a Complaint with the Public Service Commission of the State of Missouri (the "Commission"). On September 27, 2018, the Commission issued a Notice of Contested Case and Order for Small Formal Complaint, ordering the Staff of the Public Service Commission (the "Staff") to investigate the Complaint and file a report detailing the staff's recommendations. On November 16, 2018, the Staff filed its Report. The Staff's Report states that the Staff has concluded that Missouri-American Water Company (the "Company") violated no applicable statutes, Commission Rules, or Commission-approved Company tariffs related to the Complaint.

Mr. Fox has the burden of proving that the Company's alleged acts and/or omissions have violated the law or its tariff or that the Company has otherwise engaged in unjust or unreasonable actions.<sup>1</sup> Regardless of any such violation, the Commission has no authority

<sup>&</sup>lt;sup>1</sup> State ex rel GS Techs Operating Co. v. PSC of Mo., 116 S.W.3d 680, 696 (Mo. App. 2003).

to award damages to Mr. Fox.<sup>2</sup> The Commission will set a time for Mr. Fox or the Office of Public Counsel to file a response to the Staff Report if they wish to do so.

## THE COMMISSION ORDERS THAT:

1. If William C. Fox, Sr. or the Office of Public Counsel wish to file a response to the Staff Report filed on November 16, 2018, any such response shall be filed no later than November 30, 2018.

2. This order shall be effective when issued.



## BY THE COMMISSION

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Morris L. Woodruff Secretary

Paul T. Graham, Regulatory Law Judge, by delegation of authority pursuant to Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri, on this 19<sup>th</sup> day of November, 2018 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 19<sup>th</sup> day of November 2018.



Morris L. Woodruff Secretary

### **MISSOURI PUBLIC SERVICE COMMISSION**

### November 19, 2018

#### File/Case No. WC-2019-0084

#### Missouri Public Service Commission Staff Counsel Department 200 Madison Street, Suite 800

P.O. Box 360 Jefferson City, MO 65102 staffcounselservice@psc.mo.gov Office of the Public Counsel Marc Poston 200 Madison Street, Suite 650 P.O. Box 2230 Jefferson City, MO 65102 opcservice@ded.mo.gov Missouri Public Service Commission Casi Aslin 200 Madison Street, Suite 800 P.O. Box 360 Jefferson City, MO 65102 casi.aslin@psc.mo.gov

#### Missouri-American Water Company Diana C Carter 312 E. Capitol Avenue P.O. Box 456 Jefferson City, MO 65102 DCarter@brydonlaw.com

#### Missouri-American Water Company Timothy W Luft 727 Craig Road St. Louis, MO 63141 Timothy.Luft@amwater.com

#### William C. Fox Sr. William C Fox Sr. 229 Cuiseaux Ct. St. Louis, MO 63141-7341 billfox@swbell.net

Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,

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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.