

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

In the Matter of Missouri-American Water)
Company for a Certificate of Convenience)
and Necessity Authorizing it to Install,)
Own, Acquire, Construct, Operate,)
Control, Manage and Maintain a Water)
System and Sewer System in and around)
the City of Ironton, Missouri)

File No. WA-2023- 0434

RESPONSE TO STAFF RECOMMENDATION

COMES NOW Missouri-American Water Company (“MAWC”) and for its *Response to Staff Recommendation* states as follows to the Missouri Public Service Commission (“Commission”):

1. On June 22, 2023, MAWC filed an *Application and Motion for Waiver* requesting authority from the Commission to purchase the water and sewer utility assets of the City of Ironton, Missouri, and permission, approval, and a Certificate of Convenience and Necessity (“CCN”) to install, own, acquire, construct, operate, control, manage and maintain water and sewer systems for the public in an area in and around the City of Ironton, Missouri.

2. On August 4, 2023, the Commission issued its *Order Directing Filing* (“Order”). The *Order* directed Staff to file its Recommendation no later than October 12, 2023.

3. On October 12, 2023, Staff filed its *Staff Recommendation* and supporting *Memorandum*. The *Staff Recommendation* and *Memorandum* recommended the Commission grant MAWC a CCN with the conditions and actions described in Staff’s *Memorandum*, and stated the requested CCN is necessary and convenient for the public service.

4. MAWC has reviewed the proposed conditions and actions listed on pages 12 through 15 of Staff’s *Memorandum* and states that it has no objection to the proposed conditions and actions.

5. However, MAWC notes that it had a meeting with Staff regarding Recommendations 7, 8, & 9 on October 19, 2023, to discuss the details of the requirements. That meeting resulted in the following clarifications:

- a) In reference to Recommendation 7.a, MAWC stated that any agreement for the land application would be completed and filed in this matter promptly after the Missouri Department of Natural Resources (“MDNR”) has issued a new operating permit as MDNR has not been able to provide MAWC what effluent limits with which to design upgrades and will not likely have that permit renewal for some months.
- b) For Recommendation 7.d, MAWC has verified that there is not a physical interconnection with the City of Arcadia and any future need for an emergency connection will be handled on a case-by-case basis. MAWC is working with the MDNR to correct the records to show that no physical connection exists.
- c) For Recommendations 8 and 9, MAWC will file in this matter the Abatement Order of Consent (“AOC”), once it has been issued by MDNR, and the requirements, as defined within that document, will be reported in this matter through the period the AOC is in effect.

WHEREFORE, MAWC requests the Commission issue an order approving MAWC’s *Application and Motion for Waiver* and granting MAWC a CCN as recommended in Staff’s

Memorandum, and for such other and further relief as deemed appropriate in the circumstances.

Respectfully submitted,



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**ATTORNEYS FOR MISSOURI-AMERICAN
WATER COMPANY**

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document was sent by electronic mail to all counsel of record this 23rd day of October 2023.

