

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

In the Matter of Missouri-American Water )  
Company for Certificate of Convenience )  
and Necessity Authorizing it to Install, Own, ) **File No. WA-2024-0325**  
Acquire, Construct, Operate, Control, Manage )  
and Maintain a Water System in and around )  
the City of DeKalb, Missouri )

**STAFF RECOMMENDATION**

**COMES NOW** the Public Service Commission Staff (“Staff”), by and through counsel, and recommends that the Commission grant to Missouri-American Water Company, Inc. (“MAWC” or the “Company”) a Certificate of Convenience and Necessity (“CCN”) to provide regulated water services in and around the City of DeKalb, Missouri (“DeKalb” or “City”). In support of this *Recommendation*, Staff states as follows:

1. On May 1, 2024, MAWC filed its *Application and Motion for Waiver* (“Application”) seeking a CCN for authority to install, own, acquire, construct, operate, control, manage, and maintain a water system in and around the City of DeKalb, Missouri.

2. On June 18, 2024, the Commission issued its *Order and Notice*, setting an intervention deadline of July 9, 2024, and ordering Staff to file its recommendation regarding MAWC’s Application no later than July 15, 2024. No intervention requests were received, and no public comments were submitted.

3. Pursuant to § 393.170.2, RSMo, no water or sewer corporation shall provide service to consumers without first having obtained approval from the Commission. In determining whether or not to grant such approval, the Commission has traditionally applied the five “Tartan Criteria” established in *In the Matter of Tartan Energy Company, et al.*, 3 Mo. PSC 3d 173, 177 (1994): (1) there must be a need for the service; (2) the

applicant must be qualified to provide the service; (3) the applicant must have the financial ability to provide service; (4) the applicant's proposal must be economically feasible; and (5) the service must promote the public interest.

4. As explained in the Staff *Memorandum*, attached hereto as Appendix A, Staff conducted an investigation into MAWC's request. Based upon its review, Staff concludes that MAWC fulfills the requirements of the Tartan Criteria.

5. Accordingly, Staff recommends approval granting the CCN, with conditions described in the Staff *Memorandum*, as granting the requested CCN would be necessary and convenient for the public service.

6. The Commission need not hold a hearing if, after proper notice and opportunity to intervene, no party requests such a hearing. *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494 (Mo. App. W.D. 1989). No party or individual has requested a hearing, so the Commission need not hold a hearing to grant a CCN to the Company.

**WHEREFORE**, Staff respectfully submits this Staff Recommendation for the Commission's information and consideration, and requests the Commission grant Missouri-American Water Company, Inc. a Certificate of Convenience and Necessity, with conditions, to provide water service to the requested service area.

Respectfully submitted,

**/s/ Carolyn H. Kerr**

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**Attorney for Staff of the  
Missouri Public Service Commission**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 15<sup>th</sup> day of July, 2024, to all counsel of record.

**/s/ Carolyn H. Kerr**