

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

In the Matter of the Application of	)	
Missouri-American Water Company	)	
for approval of a Water Usage Data	)	Case No. _____
Agreement with the St. Louis Metropolitan	)	
Sewer District.	)	

**APPLICATION FOR APPROVAL OF AGREEMENT**

COMES NOW Missouri-American Water Company (MAWC) and, in support of its Application for approval of a Water Usage Data Agreement with the St. Louis Metropolitan Sewer District (hereinafter MSD), respectfully represents and states to the Missouri Public Service Commission ("Commission" or "PSC") as follows:

**PARTIES**

1. MAWC is a Missouri corporation with its principal office and place of business at Central Region - American Water, 727 Craig Road, St. Louis, MO 63141. MAWC is a Missouri corporation in good standing. MAWC is a "water corporation" and a "public utility" as those terms are defined in Section 386.020 RSMo. 2000, and is subject to the jurisdiction and supervision of the Commission as provided by law. A certified copy of MAWC's certificate of good standing was submitted in Case No. SA-2007-0316 and is incorporated by reference. MAWC has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates having occurred within three years from the date of this Application. MAWC has no annual report or assessment fees that are currently overdue.

2. Pleadings, notices, orders and other correspondence concerning this Application should be addressed to:

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## FACTS

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

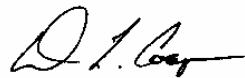
4. The reasons for this Application are as follows:
  - A. MAWC provides water service to customers in St. Louis County, Missouri, and through meter readings and estimates collects certain water usage and customer identification information for its billing purposes;
  - B. MSD provides sanitary sewer service to customers in St. Louis County, Missouri, and has established charges for such service based upon customer water usage;
  - C. MSD has requested that MAWC provide certain water usage and customer identification information that MSD requires to compute and collect its sewer charges;
  - D. The Commission, in conjunction with an application for a general rate increase filed by MAWC in Commission Case Nos. WR-2007-0216 and SR-2007-0217, approved on September 20, 2007, a Stipulation and Agreement as to MSD Rate Design between MAWC and MSD;
  - E. The Stipulation provides that MAWC and MSD will execute an agreement containing the specific terms and conditions of providing the water usage and customer identification information and that such agreement will be submitted to the Commission for approval; and
  - F. MAWC and MSD have reached an agreement in such that MAWC agrees to make available to MSD water usage data relative to each of MAWC's St. Louis County customers, which is collected quarterly or monthly in MAWC's ordinary course of business.
5. MAWC requests that the Commission approve the Agreement attached

hereto as Appendix A at this time for the following reasons:

- A. MSD benefits in that it does not have to incur costs to read meters and perform duplicative reading functions for its billing system.
- B. The revenue generated for MAWC will ultimately offset MAWC=s own costs of meter reading, and will to that extent benefit MAWC=s customers.

WHEREFORE, MAWC respectfully requests that the Commission issue its order: (a) approving the Agreement attached hereto as Appendix A; and (b) granting such further relief as is consistent with this application.

Respectfully submitted,



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Dean L. Cooper #36592  
Brian T. McCartney #47788  
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ATTORNEYS FOR MISSOURI-AMERICAN  
WATER COMPANY

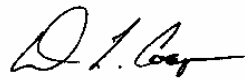
## **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 23<sup>rd</sup> day of January, 2008, to:

Kevin Thompson  
General Counsel's Office  
[Kevin.Thompson@psc.mo.gov](mailto:Kevin.Thompson@psc.mo.gov)

Christina Baker  
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Byron Francis  
Armstrong Teasdale  
[bfrancis@armstrongteasdale.com](mailto:bfrancis@armstrongteasdale.com)




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

I, FRANK L. KAPFMAN, state that I am V.P. OPERATIONS (Title) representing Missouri-American Water Company (MAWC); that I have read the above and 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.



Subscribed and sworn to before me this 15<sup>th</sup> day of January, 2008.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_  
(SEAL)

**Staci A. Olsen**  
**Notary Public - Notary Seal**  
State of Missouri  
St. Charles County  
Commission # 05519210  
My Commission Expires: March 20, 2009