

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

Metropolitan St. Louis Sewer District,	)	
	)	
Complainant,	)	
	)	Case No. WC-2007-0040
v.	)	
	)	
Missouri-American Water Company,	)	
	)	
Respondent.	)	

**MISSOURI-AMERICAN WATER COMPANY'S  
RESPONSE IN OPPOSITION TO  
COMPLAINANT MSD'S REQUEST TO  
MODIFY PROCEDURAL SCHEDULE**

COMES NOW Respondent Missouri-American Water Company ("MAWC") and respectfully requests that the Public Service Commission ("Commission") deny the Request of Complainant Metropolitan St. Louis Sewer District ("MSD") to Modify Procedural Schedule. As grounds for its opposition, MAWC states:

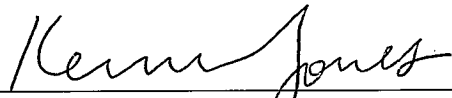
1. MAWC agrees with MSD that the parties will be in a position to file a joint Statement of Facts, as directed by the Commission, by February 14, 2007.
2. If the parties are unable to agree to a Statement of Facts, however, the parties have had sufficient time to prepare their Simultaneous Rebuttal Testimony for filing on February 14, 2007, as directed by the Commission in its January 29, 2007 order.
3. MAWC objects in particular to MSD's request to reschedule the hearing set for this matter on March 7, 2007. MAWC has a pending rate case initiated on December 15, 2007 (WR-2007-0216 and SR-2007-0217), in which MSD has intervened. MAWC has requested a true-up date of May 31, 2007. It is essential that MSD's instant complaint case be resolved prior to the true-up date. The revenues received from MSD – over \$750,000 per

year – are recorded above the line for rate making purposes. Therefore, the outcome of MSD's complaint case could have a significant impact on the appropriate balance of MAWC's revenue, expense and rate base. Extending the March 7, 2007 hearing date in MSD's complaint case could cause the complaint case to remain unresolved by the time of the true-up date.

WHEREFORE, MAWC respectfully requests that MSD's Request to Modify Procedural Schedule be denied.

Respectfully submitted,

MISSOURI-AMERICAN WATER COMPANY

By:   
Kenneth C. Jones, MB#38498  
727 Craig Road  
St. Louis, MO 63141  
kenneth.jones@amwater.com  
(314) 996-2278 (telephone)  
(314) 997-2451 (telefax)

CERTIFICATE OF SERVICE

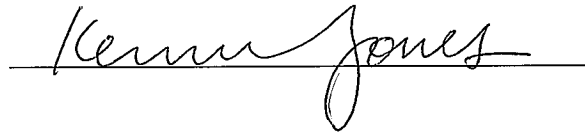
The undersigned hereby certifies that a true and correct copy of the foregoing was sent electronically and mailed postage prepaid the 13<sup>th</sup> day of February, 2007, to:

Byron E. Francis  
bfrancis@armstrongteasdale.com  
E.W. Gentry Sayad  
J. Kent Lowry  
Jacqueline Ulin Levey  
Armstrong Teasdale LLP  
One Metropolitan Square, Suite 2600  
St. Louis, Missouri 63102-2740

Keith Krueger  
keith.krueger@psc.mo.gov  
Kevin A. Thompson  
General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

and was mailed postage prepaid the 13<sup>th</sup> day of February, 2007, to:

Lewis R. Mills, Jr.  
Public Counsel  
Missouri Office of Public Counsel  
P.O. Box 2230  
Jefferson City, MO 65102-2230

A handwritten signature in cursive script, appearing to read "Kevin Jones", is written over a horizontal line.