

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

In the Matter of the General Rate Increase)	
for Water and Sewer Service Provided)	Case No. WR-2007-0216
by Missouri-American Water Company.)	SR-2007-0217

**MOTION TO STRIKE UWUA LOCAL 335'S
PROPOSED FINDINGS AND CONCLUSIONS**

COMES NOW Missouri-American Water Company (MAWC or Company), and, as its Motion to Strike the UWUA Local 335's Proposed Findings of Fact and Conclusions of Law, states as follows to the Missouri Public Service Commission (Commission):

1. On September 17, 2007, the Utility Workers Union of America, Local 335 (UWUA Local 335) filed a document entitled "UWUA Local 335's Proposed Findings of Fact and Conclusions of Law" (Proposed Findings and Conclusions).

2. UWUA Local 335 previously filed (on September 4, 2007) a document titled "Advice to the Commission." That document purported to identify certain issues being raised by UWUA Local 335. The Commission responded in its Notice Regarding Issue List and stated that it would "consider all record evidence on the issues identified by Local 335 when issuing its decision in this matter."

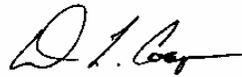
3. There is no record evidence concerning the issues identified by UWUA Local 335. The Proposed Findings and Conclusions cite exclusively to the Rebuttal Testimony of Alan Rattermann. This testimony was stricken by the Commission on August 14, 2007. (Tr. 433)

4. MAWC had filed, on July 31, 2007, the Surrebuttal Testimony of Greg A. Weeks and Cindy M. Hebenstreit in response to Mr. Rattermann's rebuttal testimony. This testimony refutes the alleged findings found in UWUA Local 335's pleading. Because Mr. Rattermann's

testimony was stricken, MAWC did not offer Mr. Weeks and Ms. Hebenstreit's testimony into evidence. Accordingly, there is no evidence for the Commission to consider in regard to the matters addressed by the Proposed Findings and Conclusions.

WHEREFORE, MAWC respectfully requests that the Commission sustain this motion and strike the UWUA Local 335's Proposed Findings of Fact and Conclusions of Law.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 19th day of September, 2007, to:

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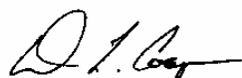
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