

**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

**AMENDED LIST OF ISSUES
AND MOTION TO MODIFY ORDER**

Comes now Missouri-American Water Company (MAWC or Company), on behalf of the Staff of the Commission (Staff), Office of the Public Counsel (Public Counsel), City of Joplin (Joplin), AG Processing Inc. (AGP), Missouri Energy Group (MEG), Public Water Supply District Nos. 1 and 2 of Andrew County and Public Water Supply District No. 1 of DeKalb County (Water Districts), Missouri Industrial Energy Consumers (MIEC), City of St. Joseph (St. Joseph), Metropolitan St. Louis Sewer District (MSD), City of Jefferson (Jefferson City), the City of Parkville (Parkville) and the Home Builders Association of St. Louis and Eastern Missouri, Inc. (HBA), and hereby provides the following amended list of issues and motion to modify order to the Missouri Public Service Commission (Commission):

1. On August 1, 2007, MAWC filed a List of Issues, Order of Witnesses and Order of Cross-Examination. The List of Issues was unopposed by the other parties, except for an Amendment provided by AGP on August 2, 2007 (AG Processing Inc. a Cooperative's Statement of Position on Selected Issues and Amendment to List of Issues).

2. Subsequently, a Nonunanimous Stipulation and Agreement was filed in this case on August 9, 2007. On August 13, 2007, Joplin filed its Suggestion in Opposition to the Stipulation and Agreement Filed on August 9, 2007 and its List of Disputed Issues and Witnesses.

3. A hearing was held on August 14, 2007.

4. On August 23, 2007, the Commission issued its order providing a specific briefing schedule. Among other things, the Commission formally adopted the August 1 Issues List (as amended by AGP's pleading) and directed that the briefs follow the adopted list of issues.

5. The parties to the case believe that the issues list should be amended to include only the following remaining issues from those which have been identified in Joplin's Revised List of Disputed Issues, filed on August 17, 2007:¹

A. Proper basis for allocating MAWC's corporate expenses to the various districts, to include administrative and general expenses, customer accounts, depreciation, other general taxes; and,

B. Payroll tax payment as annualized for the Joplin District and certain depreciation issues.²

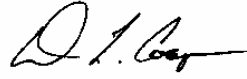
6. None of the other issues addressed by the Nonunanimous Stipulation and Agreement have been objected to or are in dispute. Accordingly, the parties further request that the Commission modify its Order Providing Specific Dates for Briefing Schedule, Directing the Filing of a Revised Reconciliation and Further Clarifying Requirements for Proposed Findings of Fact and Conclusions of Law ("Order Providing Specific Dates") such that the above amended issues list is adopted by the Commission and that the briefs follow this amended list of issues.

WHEREFORE, MAWC, on behalf of the parties, respectfully requests that the Commission adopt the above amended issues list and modify its Order Providing Specific Dates as described above.

¹ As noted by Joplin in its Revised List of Disputed Issues, MAWC has agreed to reduce the Joplin revenue requirement identified in the Nonunanimous Stipulation and Agreement by \$236,416 in order to address the issue of chemical expenses for treating water in the Joplin District. Accordingly, the parties agree that this issue is no longer in dispute.

² There is no direct revenue requirement impact associated with the payroll tax annualization and payroll annualization issues. Statement of Filing of Calculations By the City of Joplin, August 22, 2007.

Respectfully submitted,



William R. England, III MBE#23975
Dean L. Cooper Mo. Bar 36592
BRYDON, SWEARENGEN & ENGLAND P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102-0456
Telephone: (573) 635-7166
Facsimile: (573) 635-0427
trip@brydonlaw.com
dcooper@brydonlaw.com

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 29th day of August, 2007, to:

Kevin Thompson
General Counsel's Office
Kevin.Thompson@psc.mo.gov

Christina Baker
Office of the Public Counsel
christina.baker@ded.mo.gov

Michael A. Evans
Hammond, Shinnars, et al.
mevans@hstly.com

Marc H. Ellinger
Blitz, Bardgett & Deutsch
MEllinger@blitzbardgett.com

Stuart Conrad
Finnegan, Conrad & Peterson
stucon@fcplaw.com

Lisa C. Langeneckert
The Stolar Partnership
llangeneckert@stolarlaw.com

Leland B. Curtis
Curtis, Heinz, et al.
lcurtis@lawfirmemail.com

James M. Fischer
Fischer & Dority
jfischerpc@aol.com

William D. Steinmeier
William D. Steinmeier, P.C.
wds@wdspe.com

Diana M. Vuylsteke
Bryan Cave, L.L.P.
dmvuylsteke@bryancave.com

Byron E. Francis
Armstrong Teasdale LLP
bfrancis@armstrongteasdale.com

Mark W. Comley
Newman, Comley & Ruth
comleym@ncrpc.com

Jeremiah Finnegan
Finnegan, Conrad & Peterson
jfinnegan@fcplaw.com

Robert L. Hess II
Husch & Eppenberger
robert.hess@husch.com

