

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

In the Matter of the General Rate Increase    )  
for Water and Sewer Service Provided        )  
by Missouri-American Water Company.        )

**Case No. WR-2007-0216**

**STAFF'S RESPONSE TO AG PROCESSING'S NOTICE  
REGARDING PURPORTED ORDER SCHEDULING EXPEDITED  
ON-THE-RECORD DISCOVERY CONFERENCE**

COMES NOW the Staff of the Missouri Public Service Commission, by and through the Commission's General Counsel, and for its Response to AG Processing's "Notice" of August 1, 2007, states as follows:

1. The undersigned states that he overlooked the e-mail response by Mr. Woodsmall to his e-mailed inquiry of July 31, 2007, concerning AG Processing's (AGP's) failure to respond to Staff DR 285. That e-mail stated:

Kevin,

Stu's handling this case. So I'm not any help. He's driving back to KC after all the meetings yesterday. I would expect some response from him probably tomorrow.

Had the undersigned not overlooked the above communication, he would not have sought a discovery conference.

2. Commission Rule 4 CSR 240-2.090(8), cited by Mr. Conrad and which requires that counsel for the moving party confer by telephone or in person with opposing counsel before filing a motion to compel, expressly authorizes the Commission, by order, to dispense with the requirements of that provision. The

undersigned, at least, considers the Commission's Order of August 1, 2007, setting an expedited discovery conference to be just such an order.

3. Mr. Conrad goes on to suggest that the Commission's Order of August 1, 2007, was unauthorized. That is an outrageous suggestion and is frankly disrespectful of the Commission and its Regulatory Law Judges. However frustrated Mr. Conrad may be by the undersigned's "blatant" shortcomings, that is not license for him to take an insulting and disrespectful tone with the Commission and its Judges.

4. The undersigned has been advised that AGP's expert witness will provide a response to Staff's DR 285. Staff is content with that promise and no longer needs a discovery conference. The undersigned is pleased, as well, that Mr. Conrad is not averse to providing the requested information. However, until told differently by the Commission, Staff will appear at the designated time and place.

WHEREFORE, Staff urges the Commission to accept its Response to AGP's "Notice" and to grant such relief as is just in the circumstances.

Respectfully submitted,

s/ Kevin A. Thompson

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**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **1<sup>st</sup> day of August, 2007**, to the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

s/ Kevin A. Thompson