

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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

COMPLAINANT MSD'S REQUEST FOR ORAL ARGUMENT

COMES NOW Complainant Metropolitan St. Louis Sewer District ("MSD"), and pursuant to 4 CSR 240-2.117(1)(G), respectfully requests that the Public Service Commission ("PSC") schedule oral argument on MSD's Motion for Summary Determination. In support of this request, MSD states as follows:

1. The dispositive issue in this case is whether the unambiguous language of Section 249.645.1, RSMo, requires Respondent Missouri-American Water Company ("MAWC") to provide its water usage and customer identification data ("Water Usage Data") to MSD free of charge. There are no genuine issues of fact material to this determination—either the General Assembly intended for MAWC to be able to impose a fee for the provision of such Data or it did not.

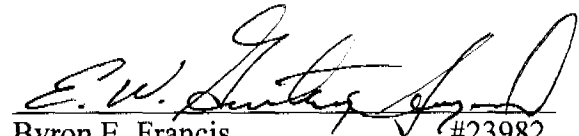
2. As a result, MSD requests that the PSC set oral argument in this case to allow the parties to formally present their legal arguments to the PSC for consideration. In addition, because the discrete legal issue under dispute renders additional prepared testimony unnecessary, MSD requests that the PSC expedite its consideration of MSD's Motion for Summary Determination in light of the upcoming deadline for submission of Rebuttal Testimony on February 14, 2007.

WHEREFORE, Complainant MSD respectfully requests that the PSC enter an Order setting MSD's Motion for Summary Determination for Oral Argument, expediting its consideration of MSD's Motion in light of the Procedural Schedule in this proceeding, and awarding such further relief as the PSC deems just and proper under the circumstances.

Respectfully submitted,

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ATTORNEYS FOR COMPLAINANT

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served via email and/or pursuant to the PSC's electronic filing system (EFIS), this 26th day of January, 2007, upon the following parties/counsel of record:

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