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STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held at its office
in Jefferson City on the 15th
day of July, 1997.

In the Matter of Missouri-American Water Company's)
Tariff Designed to Increase Rates for Water Service) Case No. WR-97-237,
Provided to Customers in the Missouri Service Area) et al.
of the Company.)
)

ORDER MODIFYING PROCEDURAL SCHEDULE

The Office of the Public Counsel (OPC) filed a Motion to Extend Procedural Schedule on July 11, 1997, asking that the dates for the filing of the rebuttal and surrebuttal testimony and the hearing memorandum in this case be extended. Currently rebuttal testimony is due on July 15, the hearing memorandum and reconciliation are due on July 22, and surrebuttal testimony is due on August 5. The case is set for hearing August 18-22.

OPC stated in its motion that the parties are still involved in settlement discussions which may have an effect on future prepared testimony, that responses to certain crucial data requests are not due until July 14, and that new matters could be raised during the local public hearings on July 17. OPC asked for a one-week extension of the filing deadlines, modifying the schedule as follows: rebuttal testimony to be filed on July 22, the hearing memorandum and reconciliation to be filed on July 29, and surrebuttal testimony to be filed on August 12. In the alternative, OPC asks that the deadline for rebuttal testimony be extended to July 22.

OPC stated that Missouri-American Water Company has agreed to a one-week extension of rebuttal testimony, but will not agree to an extension of surrebuttal testimony. The Commission Staff has agreed to an extension of all three deadlines, but only by three days. All other parties have agreed to OPC's extension requests.

The Staff of the Commission (Staff) filed a response on July 14 stating that a one-week extension of time is not acceptable because Staff's rate design witness, who must address the rebuttal testimony in his surrebuttal, will be out of the office between July 31 and August 10. A delay until July 22 would make it difficult for him to prepare his testimony. Staff also argued that OPC's rebuttal testimony should be mostly completed since it was to be filed on July 15 and that any new matters raised during the local public hearings will be on the record in the form of customer testimony.

The Commission has considered OPC's motion and statement of the positions of the other parties, and Staff's response and finds that a limited extension of time is appropriate. The deadline for filing rebuttal testimony shall be extended to July 18, and the deadline for filing the Hearing Memorandum and Reconciliation shall be extended to July 25. Granting an extension of time for the filing of surrebuttal testimony would disadvantage both the parties and the Commission in preparing for the evidentiary hearing and, therefore, no extension of time for surrebuttal testimony will be granted. Ordinarily, Commission rules allow for a ten-day response period to an initial motion. 4 CSR 240-2.080(12). In this case, OPC has stated the positions of the other parties, Staff has filed its response, and waiting ten days for other responses would render the motion

