

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Application of Aqua)	
Missouri, Inc. and the City of Taos, Missouri,)	
for Authority to Acquire Certain Assets of Aqua)	<u>Case No. SO-2011-0331</u>
Missouri, Inc., and in Connection Therewith,)	
Certain Other Related Transactions.)	

STAFF’S RECOMMENDATION AND RESPONSE TO ORDER

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and files this *Recommendation and Response to Order* with the Missouri Public Service Commission (Commission), respectfully stating the following:

1. On April, 7, 2011, a *Joint Application of Aqua Missouri, Inc. and the City of Taos, Missouri, for Authority to Acquire Certain Assets of Aqua Missouri, Inc., and in Connection Therewith, Certain Other Related Transactions (Joint Application)* was filed with the Commission.

2. On June 15, 2011, the Commission issued an *Order Granting Application with Conditions*, including “this file shall remain open for notice of the transfer, and the cancellation of any associated tariff, and certificate of convenience and necessity.”

3. On December 7, 2011, counsel for Aqua Missouri and the City of Taos filed a *Status Report* asking that this case be closed and informing the Commission that both entities believed all customers are not properly being billed by the entity providing service.

4. On December 9, 2011, the Commission ordered Staff to file a response identifying any certificate of convenience and necessity, or tariff, or both, to be cancelled. This filing complies with that Order.

5. In File No. WO-2011-0168, the Commission approved adoption notices MAWC filed for the acquisition of other Aqua properties. As a result there is no tariff to cancel in this particular proceeding.

6. Any certificate of convenience and necessity held in Aqua Missouri's name should be cancelled, as recommended in *Staff's Recommendation*, though Staff asserts that this was prematurely done in File No. WO-2011-0168.

7. Staff requests that this matter may be closed.

WHEREFORE, Staff respectfully submits this *Recommendation and Response to Order* to the Commission for its information and consideration, and respectfully requests that the Commission close this file.

Respectfully submitted,

/S/ RACHEL M. LEWIS

Rachel M. Lewis

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 9th day of January, 2012.

/S/ RACHEL M. LEWIS