

# BEFORE THE PUBLIC SERVICE COMMISSION

## OF THE STATE OF MISSOURI

In the Matter of Missouri-American Water Company's )  
Filing of Revised Sewer Tariff Sheets to Implement a ) **Case No. ST-2007-0443**  
Capacity Charge for Missouri-American's Warren ) Tariff Nos. JS-2007-0713  
County and Jefferson County Sewer Districts ) and JS-2007-0714

In the Matter of Missouri-American Water Company's )  
Request for Authority to Implement a General Rate ) **Case No. WR-2007-0216**  
Increase for Water Service Provided in Its Missouri )  
Service Areas )

### **ORDER CONSOLIDATING CASES, ESTABLISHING PROCEDURAL SCHEDULE AND FURTHER SUSPENDING TARIFFS**

Issue Date: June 21, 2007

Effective Date: June 21, 2007

On May 31, 2007, the Commission suspended two tariffs submitted by Missouri-American Water Company until September 29. The suspended tariffs would implement a new capacity charge for Missouri-American's Warren County and Jefferson County Sewer Districts. The Commission also scheduled a conference for June 18, for the purpose of discussing the possibility of consolidating consideration of those tariffs into Missouri-American's existing rate case.

That conference was held as scheduled, and on June 19, the Commission's Staff, acting on behalf of all other parties, recommended that the Commission consolidate the capacity-charge tariff case into the rate case. Staff and the other parties, however, recommend that the capacity-charge tariff case be considered using a separate procedural schedule, including a separate hearing, while allowing the Commission to make a decision

regarding those tariffs at the same time it makes a decision on the rate case. Because of the short time frames allowed by the proposed procedural schedule, the parties also request that the Commission order the parties to respond to data requests within ten days after receipt.

The Commission will follow the recommendation of the parties and will consolidate the capacity-charge tariff case, ST-2007-0443, with the rate case, WR-2007-0216. The Commission will also establish the procedural schedule recommended by the parties. Since that procedural schedule contemplates that the capacity-charge tariff case will be decided along with the rate case, the capacity-charge tariffs will be suspended an additional time to match the suspension of the rate-case tariffs.

The Commission's usual practice when consolidating cases is to close all but one of the consolidated cases and require that all future filings made in the consolidated cases be made in the surviving case. But, since the capacity-charge tariff will be considered under a separate procedural schedule, ST-2007-0443 shall remain open to receive filings relating to the capacity-charge tariffs.

The following conditions apply to the procedural schedule:

(A) All testimony shall be prefiled as defined in Commission Rule 4 CSR 240-2.130. All parties must comply with this rule, including the requirement that testimony be filed on line-numbered pages.

(B) The parties shall agree upon and Staff shall file a list of the issues to be heard, the witnesses to appear on each day of the hearing, the order in which they will be called, and the order of cross-examination for each witness. Any issue not contained in this list of issues will be viewed as uncontested and not requiring resolution by the Commission.

(C) Each party shall file a simple and concise statement summarizing its position on each disputed issue.

(D) All pleadings, briefs, and amendments shall be filed in accordance with Commission Rule 4 CSR 240-2.080. Briefs shall follow the same list of issues as filed in the case and must set forth and cite the proper portions of the record concerning the remaining unresolved issues that are to be decided by the Commission.

(E) All parties shall bring an adequate number of copies of exhibits that they intend to offer into evidence at the hearing. If an exhibit has not been prefiled, the party offering it should bring, in addition to the copy for the court reporter, copies for the five Commissioners, the Presiding Judge, and all counsel.

**IT IS ORDERED THAT:**

1. Case Number ST-2007-0443, opened to consider Missouri-American Water Company's revised sewer tariff sheets to implement a capacity charge for Missouri-American's Warren County and Jefferson County Sewer Districts, is consolidated with Case Number WR-2007-0216, opened to consider Missouri-American's request for a general rate increase.

2. Case Number ST-2007-0443 shall remain open for purposes of the Commission's filing system and all future filings regarding Missouri-American Water Company's capacity-charge tariffs shall be made in that case.

3. The tariff sheets issued on April 2, 2007, by Missouri-American Water Company, and assigned Tariff No. JS-2007-0713, previously suspended for a period of 120 days beyond June 1, 2007, to September 29, 2007, are further suspended until

November 14, 2007, or until otherwise ordered by this Commission. The tariff sheets suspended are:

**PSC Mo. - No 8**

Jefferson County (Cedar Hill) District  
Original Sheet No. 4a  
Original Sheet No. 16a  
Original Sheet No. 16b  
Original Sheet No. 16c

4. The tariff sheets issued on April 2, 2007, by Missouri-American Water Company, and assigned Tariff No. JS-2007-0714, previously suspended for a period of 120 days beyond June 1, 2007, to September 29, 2007, are further suspended until November 14, 2007, or until otherwise ordered by this Commission. The tariff sheets suspended are:

**PSC Mo. - No 7**

Warren County (Incline Village et al.) District  
Original Sheet No. 9a  
Original Sheet No. 9b  
Original Sheet No. 9c

5. The following procedural schedule is established:

<b>Direct Testimony by Missouri-American</b>	<b>- July 13, 2007</b>
<b>Rebuttal Testimony by all other Parties</b>	<b>- August 13, 2007</b>
<b>Surrebuttal Testimony by all Parties</b>	<b>- August 23, 2007</b>
<b>List of Issues, List of Witnesses, Order of Cross-Examination, Order of Opening and Position Statements</b>	<b>- August 28, 2007</b>
<b>All Parties file Statements of Position</b>	<b>- August 29, 2007</b>
<b>Hearing</b>	<b>- September 5, 2007, beginning at 8:30 a.m.</b>
<b>Post-Hearing Briefs</b>	<b>- September 21, 2007</b>

6. All parties shall respond to data requests within ten days after receipt of such data request.

7. The hearing shall be held at the Commission's office at the Governor Office Building, Room 310, 200 Madison Street, Jefferson City, Missouri. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.

8. This order shall become effective on June 21, 2007.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Morris L. Woodruff, Deputy Chief Regulatory Law  
Judge, by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 21st day of June, 2007.