

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

The Office of Public Counsel et al.,	)	
	)	
Complainants,	)	
	)	
v.	)	<b><u>Case No. WC-2014-0138</u></b>
	)	
Missouri American Water Company,	)	
	)	
Respondent.	)	

**STAFF’S RESPONSE IN OPPOSITION**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Response in Opposition*, states as follows:

1. The Office of the Public Counsel (“OPC”) filed its *Complaint* against Missouri-American Water Company (“MAWC”) on November 13, 2013, concerning MAWC’s billing practices with respect to the residents of the Stonebridge development near Springfield, Missouri.

2. Some 25 formal consumer complaints, filed against MAWC by Stonebridge residents, were consolidated into this case, including Case No. WC-2014-0176, filed by Hugh and Jean Mackenzie on December 5, 2013.

3. On January 8, 2015, MAWC filed its *Joint Motion to Dismiss*, explaining that it has entered into a side-settlement with Mr. and Mrs. Mackenzie and that they, together with MAWC, “respectfully request that the Public Service Commission of the State of Missouri Dismiss the Complaint without prejudice.” The caption refers to Case No. WC-2014-0138 and not to Case No. WC-2014-0176.

4. The settlement between MAWC and the Mackenzies does not resolve Case No. WC-2014-0138 and its dismissal is therefore not appropriate. The Mackenzies should be dismissed as complainants from Case No. WC-2014-0138 and Case No. WC-2014-0176 should be dismissed.

**WHEREFORE,** Staff prays that the Commission will not dismiss Case No. WC-2014-0138; and grant such other or further relief as is just in the circumstances.

Respectfully submitted,

**/s/ Kevin A. Thompson**

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#### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed with first-class postage, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this **8<sup>th</sup> day of January, 2015.**

**/s/ Kevin A. Thompson**