

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of an Application of Missouri-American)
Water Company for the Approval of an Agreement)
with the City of Kirkwood, Missouri, to Construct) **Case No. WO-2005-0286**
Transmission Mains and Points of Delivery and to)
Sell and Deliver Water for Resale and Related)
Tariff Sheets)

ORDER GRANTING APPLICATION TO
INTERVENE AND ORDER DIRECTING FILING

On February 24, 2005, Missouri-American Water Company applied for authority to build transmission mains and points of delivery and to sell and deliver water to the City of Kirkwood. Missouri-American also filed a related tariff sheet, bearing an effective date of March 26, 2005. Missouri-American later extended the tariff effective date to April 25.

On March 14, Utility Workers Union of America Local 335, AFL-CIO, asked to intervene. Local 335 alleges that it represents about 300 Missouri-American employees under its collective bargaining agreement with Missouri-American. According to the application, Local 335's interest in the proposed agreement involves impacts on jobs, pensions, and other terms and conditions of employment. Those are interests that no other party can adequately represent, and that are different from those of the general public.

Under 4 CSR 240-2.080(15), interested parties had ten days from the filing date to object. No parties objected.

The Commission has reviewed the application to intervene and finds that it substantially complies with Commission rules regarding intervention. The Commission

further finds that Local 335 has interests in this matter different from those of the general public, and that granting intervention would serve the public interest. The Commission concludes that it should grant the request.

The Commission notes that Local 335 has not taken a position on Missouri-American's application. The Commission also notes that the Office of the Public Counsel has requested a local public hearing. The Commission will order Local 335 to state its position on Missouri-American's application, and on Public Counsel's request for a local public hearing.

IT IS THEREFORE ORDERED:

1. That the Verified Application of Utility Workers Union of America Local 335, AFL-CIO, to Intervene is granted.
2. That Utility Workers Union of America Local 335, AFL-CIO, shall state whether it supports or opposes Missouri-American Water Company's application, and shall state whether it supports or opposes the Office of the Public Counsel's local public hearing request, no later than April 11, 2005.
3. That this order shall become effective on April 7, 2005.

BY THE COMMISSION

(S E A L)

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Ronald D. Pridgin, Regulatory Law
Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 7th day of April, 2005.