

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

In the Matter of the Joint Application of)
Missouri-American Water Company and)
Roark Water & Sewer, Inc., for Authority)
for Missouri-American Water Company to)
Acquire Certain Assets of Roark Water &)
Sewer, Inc., and, in Connection Therewith,)
Certain Other Related Transactions.)

File No. WO-2011-0213, et al.

**ORDER SETTING PREHEARING CONFERENCE, DIRECTING FILING
OF PROPOSED PROCEDURAL SCHEDULE,
AND NOTICE OF CONTESTED CASE**

Issue Date: March 18, 2011

Effective Date: March 18, 2011

On March 7, 2011, the Commission’s Staff filed its recommendation in this matter. Staff recommended that the Commission grant Missouri-American Water Company’s and Roark Water & Sewer, Inc.’s joint application, as described in the above caption, with certain conditions. Missouri-American and Roark responded to Staff’s recommendation on March 16, 2011, stating that they do not object to Staff’s conditions and requesting that the Commission approve their application. The Office of the Public Counsel responded on March 17, 2011. Public Counsel opposes the rate base calculation and possible future tax treatment as proposed in Staff’s recommendation.

Although Public Counsel did not explicitly request a hearing, its opposition appears to require one. This matter is now a contested case.¹ The Commission will

¹ A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without a hearing (Section 536.060, RSMo 2000), including by stipulation and agreement (4 CSR 240-2.115). The Commission has published regulations on discovery at 4 CSR 240-2.090.

schedule a prehearing conference for the parties to discuss the issues, and will direct the filing of a procedural schedule.

THE COMMISSION ORDERS THAT:

1. A prehearing conference shall commence at 10:00 a.m. on April 7, 2011, at the Commission's offices in the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, in Room 305. The Governor Office Building meets accessibility standards required by the Americans with Disabilities Act. Any person who needs specific accessibility accommodations may call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.
2. The parties shall jointly prepare and file a proposed procedural schedule no later than April 14, 2011.
3. This order shall become effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Nancy Dippell, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 18th day of March, 2011.