

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Missouri-American)
Water Company's Request for Authority)
to Implement a General Rate Increase)
for Water Service Provided in Missouri)
Service Areas)

Case No. WR-2007-0216, et al.

ORDER ADMITTING POST-HEARING EXHIBITS INTO EVIDENCE AND
ACKNOWLEDGING PARTIES' WAIVERS OF PROVIDING REBUTTAL
TESTIMONY TO THE CITY OF JOPLIN'S SUPPLEMENTAL DIRECT
TESTIMONY AT HEARING

Issue Date: August 29, 2007

Effective Date: August 29, 2007

On August 15, 2007,¹ the Commission issued an order delineating the post-hearing procedural schedule in this matter. In that order, the Commission, *inter alia*, directed the City of Joplin ("Joplin") to file certain late-filed exhibits and established a schedule to afford the remaining parties the opportunity to lodge objections to those exhibits and to exercise their right to provide rebuttal testimony to supplemental direct testimony Joplin was allowed to present at the hearing held on August 14.

On August 20, the Commission further clarified the August 15 Order and established August 22 as the deadline for Joplin's late-filed exhibits and set the deadline for responses for August 24. On August 22, Joplin timely-filed the exhibits. The first was described by the Commission as follows:

. . . any documents, work papers, letters, memoranda, notes, reports, analyses, computer analyses, adding machine calculations, test results, studies or data recordings, transcriptions, and printer, typed, or written

¹ All dates throughout this order refer to the year 2007 unless otherwise noted.

materials of any kind, in any format, that relate to demonstrating the revenue effect on the specific revenue requirement for the Joplin district that were generated by the City of Joplin or its witness, Ms. Leslie Jones, to serve as a basis for the testimony the City of Joplin submitted to the Commission. If no such materials exist, the City of Joplin shall file a pleading verifying that such materials do not exist.

The second late-filed exhibit that Joplin was directed to file required Joplin:

to generate and file with the Commission calculations showing the effect that Joplin's currently advocated positions with regard to the disputed issues would have on its revenue requirement.² These calculations are to include the effects of Joplin's position on the proper method of allocating MAWC's corporate administrative and general expenses, payroll tax payments as annualized for the Joplin District and corporate allocation of corporate depreciation, as well as any other disputed issue identified in its revised list of issues. These calculations must include the determination of the value of each issue and its effect on Joplin's [sic]³ revenue requirement.

The Commission designated the exhibits as "Joplin-2," and "Joplin-3" respectively.

On August 27, the Commission struck the filing of an amendment to Joplin-2 and extended the deadline for the parties to offer objections and exercise their right to introduce rebuttal testimony until midnight August 28.

No party registered objections to the exhibits as they were filed on August 22, and no party has requested the Commission to allow it to offer rebuttal testimony to the supplemental direct testimony that was adduced at hearing from Joplin's witness, Ms. Leslie Jones. Consequently, the Commission will admit Joplin's late-filed exhibits and will acknowledge that the parties have waived their right to file rebuttal testimony to Ms. Jones's live hearing testimony.

² During the hearing on August 14, Joplin's witness was allowed to supplement her prefiled testimony; whereupon her supplemental testimony advocated a change in positions from that in her pre-filed testimony.

³ The order should have read the portion of Missouri-American Water Company's revenue requirement that was allocated to Joplin.

IT IS ORDERED THAT:

1. The City of Joplin's late-filed exhibits, designated as "Joplin-2" and Joplin-3," as filed on August 22, 2007, are hereby admitted into evidence for all purposes.
2. All parties have waived the right to provide rebuttal testimony to the supplemental direct testimony provided by the City of Joplin's witness, Ms. Leslie Jones, on August 14, 2007.
3. This order shall become effective on August 29, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Harold Stearley, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 29th day of August, 2007.