

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

In the Matter of the Application of)
Missouri-American Water Company)
for a Certificate of Convenience and)
Necessity Authorizing it to Install, Own,)
Acquire, Construct, Operate, Control,)
Manage and Maintain a Water and)
Sewer Utility in Incline Village, Warren)
County, Missouri.)

Case No. WA-2008-0012

PUBLIC COUNSEL’S RESPONSE TO STAFF RECOMMENDATION

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response to Staff Recommendation states as follows:

1. On September 21, 2007, Staff of the Missouri Public Service Commission (Staff) filed its Staff Recommendation. In its filing, Staff recommended that the Missouri Public Service Commission (Commission) issue an order granting Missouri-American Water Company’s (MAWC’s) request for a certificate of convenience and necessity to provide water and sewer service to the modified proposed service area, as shown in Attachment 1 and as described in Attachment 2.

2. Staff also recommended that the Commission require MAWC to submit new tariff sheets for its Incline Village water and sewer tariffs, to include a map and written description of the revised service area in each.

3. Staff further recommended that the Commission recognize that nothing in its Recommendation or in any order issued by the Commission in this case shall bind the Commission on any ratemaking issue in any future rate proceeding.

4. Office of Public Counsel has reviewed the Staff Recommendation and does not object to its recommendations to the Commission.

WHEREFORE, Public Counsel respectfully submits that it has no objections to the Staff Recommendation.

Respectfully submitted,

OFFICE OF THE Public Counsel

/s/ Christina L. Baker

By:_____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 28th day of September 2007:

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