

**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 DIRECTING CITY OF JOPLIN TO MAKE SPECIFIC FILINGS,**  
**RESETTING HEARING SCHEDULE AND DIRECTING RESPONSES TO**  
**STIPULATION AND AGREEMENT**

Issue Date: August 9, 2007

Effective Date: August 9, 2007

On August 1, 2007,<sup>1</sup> the parties jointly filed a document setting out the list of issues, order for opening statements, list and order of witnesses and order for cross-examination that the parties proposed to follow in the evidentiary hearing scheduled to begin on August 6. The hearing schedule called for approximately twenty-six witnesses to present testimony on approximately thirty-seven issues over the two week hearing.

On August 6, the hearing was convened and all of the parties present, with the exception of the City of Joplin ("Joplin"), confirmed that they were entering into a Non-Unanimous Stipulation and Agreement ("Agreement") that would be filed as soon as it was formalized and reduced to writing. The parties jointly requested that the evidentiary hearing be resumed on August 14 -15, for the limited purpose of hearing testimony on several specific issues that remained in dispute between Joplin and the remaining parties. That request was granted. On August 9, the Agreement was filed.

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<sup>1</sup> All dates throughout this order refer to the year 2007 unless otherwise noted.

The Commission has reviewed Joplin's pre-filed rebuttal testimony and its pre-hearing brief. Joplin's sole witness and prehearing brief appear to address four issues in this matter. To avoid having witnesses appear before the Commission unnecessarily, the Commission will require Joplin to specifically identify which issues it disputes with the other parties. Joplin will also be required to identify which witnesses it wishes to cross-examine on each such issue.

In that same pleading, Joplin shall definitively inform the Commission if it opposes the resolution of the remaining issues encompassed in the Agreement, or if it agrees with the other parties on any of the issues that it has not specifically identified to be in dispute. If Joplin opposes the resolution of any additional issues resolved in the Agreement that it has already not identified in its prehearing filings, it shall state with particularity the reasons it opposes the resolution of each of those issues.

Should Joplin identify any additional issues encompassed by the Agreement that it has already not identified in its prehearing brief and prefiled testimony, then it shall supplement its prehearing brief to provide the Commission with its legal arguments with respect to each issue identified. Because the hearing is imminent and could become potentially extensive, the Commission shall direct Joplin to file the required pleadings no later than midnight on August 10.

Commission Rule 4 CSR 240-2.115(2)(B) provides parties seven days to respond to a nonunanimous stipulation and agreement. Again, because the hearing is imminent and could become potentially extensive, the Commission shall set the deadline for all of the parties wishing to file any suggestions in support or opposition to the Agreement no later than 3:00 p.m. on August 13.

**IT IS ORDERED THAT:**

1. No later than midnight on August 10, 2007, the City of Joplin, Missouri shall file with the Commission the pleadings described in the body of this order.
2. As ordered at hearing on August 6, 2007, the evidentiary hearing in this matter, with regard to the City of Joplin's disputed issues, shall re-convene on August 14, 2007 at 9:00 a.m., and this portion of the hearing shall conclude on August 15, 2007.
3. Any party wishing to file suggestions in support or opposition to the Stipulation and Agreement filed on August 9, 2007, shall do so no later than 3:00 p.m., August 13, 2007.
4. This order shall become effective on August 9, 2007.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,  
on this 9th day of August, 2007.