

**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 and Sewer Service Provided in)
Missouri Service Areas.) Case No. WR-2011-0337

THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE

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

1. On December 19, 2011, the Staff of the Missouri Public Service Commission (Staff) filed Staff’s Status Report, Request for Extension of Time, and Request for Company Response which presented information to the Commission regarding customer contacts and more specifically the customer comment cards which were approved by the Commission to be provided to customers in this case.
2. On December 19, 2011, the Missouri Public Service Commission (Commission) issued an Order Directing Filing ordering Public Counsel to respond, at a minimum, to paragraph 9 of Staff’s status report by December 30, 2011.

Response to Paragraph 9

3. Staff’s status report included the following enumerated paragraph:
 9. Staff has routed some of the inquiries it has received to the Office of the Public Counsel (“Public Counsel”), the party who requested the customer comment cards be distributed in this matter, only to have those same inquiries returned for action by Commission’s Consumer Services Staff. Inquiries that were sent to Public Counsel generally relate to matters typically handled by Public Counsel, such as questions inquiring as to who represents customers in the rate case process. (emphasis added)

4. On December 20, 2011, Public Counsel reported to the Commission that it was unaware of any instance in which a customer inquiry was routed to Public Counsel by Staff only to have that same customer inquiry returned for action by Staff's Consumer Services department. Public Counsel requested that the Commission order Staff to provide any additional information it possessed regarding these inquiries such as customer name, date and time of inquiry, subject of inquiry, name of transferring Staff employee, etc., so that Public Counsel may fully investigate and respond as ordered to paragraph 9 of Staff's status report. Public Counsel's request for additional information was granted by the Commission on December 20, 2011.

5. On December 22, 2011, Public Counsel was informed by Staff's Consumer Services department that an error had been made in that there actually were no customer inquiries routed to Public Counsel by Staff only to have the same customer inquiry returned for action by Staff's Consumer Services department as claimed in Paragraph 9. Staff's Consumer Services department assured Public Counsel that a retraction of Paragraph 9 would occur promptly.

6. On December 29, 2011, seven days after the error was reported to Public Counsel, Staff's Response to the Office of Public Counsel's Request for Clarity was filed which stated that "a mistake was made prior to Staff's filing". This mistake apparently occurred because a single public comment entered by Public Counsel in EFIS using the initials "CB" (the initials of Christina Baker – yours truly) caused confusion within Staff's Consumer Services department.

7. Paragraph 9 of Staff's Status Report accuses Public Counsel of several instances of not being responsive to customers. However, Staff's Response now indicates that paragraph was actually based only one customer comment and in reality, Staff was mistaken in its accusation regarding that comment. So, even though Staff's Response does not specifically state as such, it turns out the comments by Staff in Paragraph 9 were actually untrue.

8. Public Counsel is disappointed that Staff did not take the time to contact Public Counsel to clarify the situation before making a filing misrepresenting the situation to the Commission. Public Counsel's door is always open.

Response Regarding Customer Comment Cards

9. Staff's status report indicates that the customer comment cards have been a huge success in this case.

10. The Commission is aptly named the "Missouri Public Service Commission". Four of the five bullet points in the Commission's Mission Statement focus directly on the needs of the customer:

Mission Statement

We will:

- ensure that Missourians receive safe and reliable utility services at just, reasonable and affordable rates;
- support economic development through either traditional rate of return regulation or competition, as required by law;
- establish standards so that competition will maintain or improve the quality of services provided to Missourians;
- provide the public the information they need to make educated utility choices;
- provide an efficient regulatory process that is responsive to all parties, and perform our duties ethically and professionally.¹

The Commission even staffs a Consumer Services division devoted solely to responding to consumers.

11. Therefore, determining the needs and experiences of the customers is apparently one of the highest priorities for the Commission. The conundrum is how to provide an effective forum for customers to supply that information to the Commission.

¹ <http://psc.mo.gov/about-the-psc/about-the-psc>

12. Affording customers the opportunity to provide comments to the Commission is a critical part of the ratemaking process. Local public hearings are held by the Commission and comments are sought from the customers through phone calls, mail and email. However, none of these have had the impact that the customer comment card has had.

13. In its filing Staff states that as of December 19, 2011, the Consumer Services department has received approximately 7,502 comment cards that are being processed to be entered in the EFIS system. Additional customer comment cards have been received since that date. In fact, Staff's December 29, 2011, Response indicates that the volume of customer comment cards received to date exceeds 11,000.

14. Customer comment cards have been used in other rate cases before the Commission and the response has been phenomenal. Therefore, it is quite clear that a large number of customers are willing to take time out of their day and pay almost 50 cents postage in order to provide comments to the Commission using the customer comment card. It is that important to them.

15. Rate cases for large utilities affect a significant number of customers, and the Commission strives to protect each and every one of them. Public Counsel understands the time and effort it takes to process the customer comment cards and enter them into EFIS. Congratulations go to Staff and the Consumer Services division for all their hard work and dedication. The Commission's use of comment cards is fairly new and without a doubt the process could be made more efficient utilizing the lessons learned to date. But given the enormous success of the customer comment cards at allowing the customers to make contact with those who are appointed to protect them, the time and effort is certainly worth it.

WHEREFORE, Public Counsel respectfully submits its response.

Respectfully submitted,

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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 29th day of December 2011:

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