

**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-2008-0311

**OFFICE OF THE PUBLIC COUNSEL'S REQUEST TO POSTPONE ACTION ON
STIPULATION AND AGREEMENT BETWEEN MAWC AND MSD**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Request to Postpone Action on Stipulation and Agreement between MAWC and MSD states as follows:

1. On September 17, 2008, Missouri-American Water Company (MAWC) and Metropolitan St. Louis Sewer District (MSD) filed an agreement whereby MAWC and MSD agree that MAWC will provide water usage meter reading data and customer billing information and related services to MSD and, in return, MSD will pay MAWC \$29,166 per month (\$350,000 annually) for such information and services. As a result, the currently effective revised tariff sheet number RT 16.0 shall remain in effect and not be changed as a result of this case. No revenue shall be imputed to the Company in the process of setting just and reasonable rates in this case as a result of this issue.
2. MAWC and MSD requested an Order from the Commission approving all of the specific terms and conditions of this Stipulation and Agreement.
3. Public Counsel requests that the Commission postpone action on the Stipulation and Agreement between MAWC and MSD at this time, and take up this issue in the Commission's final Report & Order on rate design in this case.

4. MAWC previously proposed that a true-up audit and hearing be conducted for certain specified items of revenue, expense and investment through September 30, 2008. A true-up hearing has been scheduled for December 8-9, 2008.

5. This postponement will allow Public Counsel and the other parties time to determine the effect this Stipulation and Agreement will have, based upon completion of true-up in this case.

6. This postponement will also provide the Commission with information relevant in its deliberation on just and reasonable rates for all customer classes.

WHEREFORE, Public Counsel respectfully requests that the Commission postpone action on the Stipulation and Agreement between MAWC and MSD at this time, and take up this issue in the Commission's final Report & Order on rate design in this case.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By: _____

Christina L. Baker (#58303)

Senior Public Counsel

P O Box 2230

Jefferson City, MO 65102

(573) 751-5565

(573) 751-5562 FAX

christina.baker@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 23rd day of September 2008:

General Counsel Office
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
GenCounsel@psc.mo.gov

Krueger Keith
Missouri Public Service Commission
200 Madison Street, Suite 800
P.O. Box 360
Jefferson City, MO 65102
Keith.Krueger@psc.mo.gov

Conrad Stuart
AG Processing, Inc
3100 Broadway, Suite 1209
Kansas City, MO 64111
stucon@fcplaw.com

Woodsmall David
AG Processing, Inc
428 E. Capitol Ave., Suite 300
Jefferson City, MO 65102
dwoodsmall@fcplaw.com

Bednar P Joseph
Argosy Casino
3405 W. Truman Blvd. Suite 210
Jefferson City, MO 65109-5713
jbednar@armstrongteasdale.com

Bednar P Joseph
City of Riverside, Missouri
3405 W. Truman Blvd. Suite 210
Jefferson City, MO 65109-5713
jbednar@armstrongteasdale.com

Bednar P Joseph
Metropolitan St. Louis Sewer District
(MSD)
3405 W. Truman Blvd. Suite 210
Jefferson City, MO 65109-5713
jbednar@armstrongteasdale.com

Turner Matt
Argosy Casino
One Metropolitan Square, Suite 2600
St. Louis, MO 63102

McClelland W John
Argosy Casino
2345 Grand Blvd., Ste 2000
Kansas City, MO 64108-2617
jmccllelland@armstrongteasdale.com

Comley W Mark
City of Jefferson, Missouri
601 Monroe Street., Suite 301
P.O. Box 537
Jefferson City, MO 65102-0537
comley@ncrpc.com

Ellinger H Marc
City of Joplin, Missouri
308 E. High Street, Ste. 301
Jefferson City, MO 65101
mellinger@blitzbardgett.com

Smith Jane
City of Joplin, Missouri
308 East High Street
Suite 301
Jefferson City, MO 65101

Finnegan D Jeremiah
City of Lake Waukomis, Missouri
3100 Broadway, Suite 1209
Kansas City, MO 64111
jfinnegan@fcplaw.com

Finnegan D Jeremiah
City of Parkville, Missouri
3100 Broadway, Suite 1209
Kansas City, MO 64111
jfinnegan@fcplaw.com

Finnegan D Jeremiah
Park University
3100 Broadway, Suite 1209
Kansas City, MO 64111
jfinnegan@fcplaw.com

Francis E Byron
Metropolitan St. Louis Sewer District (MSD)
One Metropolitan Square, Suite 2600
211 North Broadway
St. Louis, MO 63102
bfrancis@armstrongteasdale.com

Levey U Jacqueline
Metropolitan St. Louis Sewer District
(MSD)
One Metropolitan Square, Ste. 2600
St. Louis, MO 63102-2740
jlevey@armstrongteasdale.com

Langeneckert C Lisa
Missouri Energy Group
One City Centre, 15th Floor
515 North Sixth Street
St. Louis, MO 63101
llangeneckert@spvg.com

Vuylsteke M Diana
Missouri Industrial Energy Consumers
211 N. Broadway, Suite 3600
St. Louis, MO 63102
dmvuylsteke@bryancave.com

Cooper L Dean
Missouri-American Water Company
312 East Capitol
P.O. Box 456
Jefferson City, MO 65102
dcooper@brydonlaw.com

England R W
Missouri-American Water Company
312 East Capitol Avenue
P.O. Box 456
Jefferson City, MO 65102
trip@brydonlaw.com

Evans A Michael
Utility Workers Union of America Local 335
7730 Carondelet, Suite 200
St. Louis, MO 63105
mevans@hstly.com

Fischer M James
Public Water Supply District No. 1 of
Andrew County
101 Madison Street--Suite 400
Jefferson City, MO 65101
jfischerpc@aol.com

Dority W Larry
Public Water Supply District No. 1 of Andrew
County
101 Madison, Suite 400
Jefferson City, MO 65101
lwdority@sprintmail.com

Fischer M James
Public Water Supply District No. 1 of
DeKalb County
101 Madison Street--Suite 400
Jefferson City, MO 65101
jfisherpc@aol.com

Dority W Larry
Public Water Supply District No. 1 of DeKalb
County
101 Madison, Suite 400
Jefferson City, MO 65101
lwdority@sprintmail.com

Fischer M James
Public Water Supply District No. 2 of
Andrew County
101 Madison Street--Suite 400
Jefferson City, MO 65101
jfisherpc@aol.com

Dority W Larry
Public Water Supply District No. 2 of Andrew
County
101 Madison, Suite 400
Jefferson City, MO 65101
lwdority@sprintmail.com

Schroder A Sherrie
Utility Workers Union of America Local
335
7730 Carondelet Ave. Ste 200
St. Louis, MO 63105
saschroder@hstly.com

/s/ Christina L. Baker
