

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

In the Matter of the General Rate Increase)
for Water and Sewer Service Provided)
by Missouri-American Water Company.)

Case No. WR-2007-0216

**OFFICE OF THE PUBLIC COUNSEL'S REQUEST FOR ADDITIONAL
TIME TO REVIEW THE CITY OF JOPLIN'S CALCULATION FILING AND
REQUEST FOR CLARIFICATION**

COMES NOW the Office of the Public Counsel (Public Counsel), and for its Request for Additional Time to Review the City of Joplin's (Joplin's) Calculation Filing and Request for Clarification states as follows:

Request for Additional Time To Review

1. On August 15, 2007, the Commission issued an order directing Joplin to 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. On August 20, 2007, the Commission issued an order clarifying the post-hearing procedural schedule. In this order, the Commission stated that Joplin indicated it would file the newly required calculations no later than August 22nd and consequently, by the end of the day on August 22nd, the parties should have before them all of the materials necessary to register any objections to the late-filed exhibits and provide the Commission with a definitive statement as to if it wishes to offer rebuttal testimony to Joplin's newly adduced testimony, exhibits and positions. The order then set the date to respond to Joplin's supplemental testimony offered at hearing, and to Joplin's late-filed exhibits for August 24th.
3. On August 22, 2007, Joplin filed its Statement of Calculations by the City of Joplin. Joplin's filing contained an attached Adobe document. However, the actual computer file or

documentation was not attached or filed with the Commission. Therefore, the parties did not have before them on August 22nd all the materials necessary to register any objections and provide definitive statements as to offering rebuttal testimony.

4. On August 23, 2007, Public Counsel sent an email request to Joplin's attorney, Mr. Marc Ellinger, requesting an electronic copy of the filed Adobe document so that the calculations could be reviewed. Many other parties replied to Mr. Ellinger that they too would like an electronic copy of the filed Adobe document.

5. On August 24, 2007, Mr. Ellinger distributed, by email to the parties, electronic copies of documents purporting to be the basis for the filed Adobe document. These documents were not filed with the Commission through the electronic filing system.

6. The parties were not provided with all the materials necessary to register any objections and provide definitive statements as to offering rebuttal testimony until August 24th, which is the day that responses to Joplin's supplemental testimony offered at hearing were due. Therefore, Public Counsel requests additional time to review Joplin's calculation filing and to file responses to Joplin's supplemental testimony.

Request for Clarification

7. Joplin's original List of Disputed Issues as well as its Revised List of Disputed Issues, included payroll tax annualization as an unresolved issue in the Non-Unanimous Stipulation and Agreement.

8. Joplin's August 22, 2007 Statement of Filing of Calculations by the City of Joplin states "Additionally, there is no direct revenue impact upon the payroll tax annualization and payroll annualization discussed in Leslie Jones' testimony on August 14, 2007." This statement seems to indicate that payroll tax annualization may no longer be unresolved issue.

9. Therefore, Public Counsel requests clarification from the City of Joplin as to whether payroll tax annualization remains an unresolved issue in the Non-Unanimous Stipulation and Agreement.

WHEREFORE, Public Counsel respectfully submits its request for additional time to review Joplin's calculation filing and to file responses to Joplin's supplemental testimony and its request for clarification as to whether payroll tax annualization remains an unresolved issue in the Non-Unanimous Stipulation and Agreement

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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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 24th day of August 2007:

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