

**BEFORE THE PUBLIC SERVICE COMMISSION
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

**STAFF'S RESPONSE IN OPPOSITION TO CERTAIN PARTIES' MOTION
TO EXTEND DATE FOR REBUTTAL TESTIMONY**

COMES NOW the Staff of the Missouri Public Service Commission, by and through the Commission's General Counsel, and for its Response in Opposition to the Request To Extend Date For Rebuttal Testimony, recently filed herein, and states as follows

1. The Commission set the Procedural Schedule herein on February 22, 2007, and Rebuttal Testimony is due, pursuant to that schedule, on July 10, 2007.

2. On July 6, 2007, Public Counsel moved that the date be set back to July 16, 2007, so that "Public Counsel may concentrate on settlement discussions with the other Parties during the week of July 9-13, 2007."

3. In support of its motion, Public Counsel states that it "believes no one will be prejudiced by this request."

4. Also on July 6, 2007, AG Processing filed in support of Public Counsel's motion. AG Processing stated, "OPC correctly states that the non-utility parties (including Commission Staff) have been engaged in meaningful settlement discussions that have thus far been productive and that additional time may result in settlement of part or all of the issues in this case."

5. Staff states that, contrary to the assertion of Public Counsel, it will be prejudiced if the date for Rebuttal Testimony is pushed back because Staff's ability to

meaningfully respond to the other parties' Rebuttal Testimony in its Surrebuttal Testimony will be significantly compromised. Surrebuttal Testimony is due on July 27, less than three weeks after Rebuttal is due on July 10, and the preparation of Surrebuttal Testimony may require additional DRs. If Rebuttal is filed on July 16, Staff will have only 11 days in which to respond. Unlike Public Counsel and AG Processing, Staff must meet every issue raised by the Company. Therefore, Staff must have a sufficient and reasonable opportunity to do so.

6. Staff is unaware of any reason why settlement discussions, fruitful or not, cannot go forward even if Rebuttal Testimony is due on July 10. Staff, after all, has its testimony ready to file.

WHEREFORE, Staff urges the Commission to DENY Public Counsel's request to extend the date for Rebuttal Testimony to July 16, 2007; and for such other and further relief as may be just in the circumstances.

Respectfully submitted,

s/ Kevin A. Thompson

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **9th day of July, 2007**, to the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

s/ Kevin A. Thompson