

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

The Office of the Public Counsel,
COMPLAINANT

v.

Missouri-American Water Company,
RESPONDENT.

Case No. SC-2014-0137

The Office of the Public Counsel,
COMPLAINANT

v.

Missouri-American Water Company,
RESPONDENT.

Case No. WC-2014-0138

Mike & Ann Youngs,
COMPLAINANTS

v.

Missouri-American Water Company,
RESPONDENT.

Case No. WC-2014-0098

Derf Manthe,
COMPLAINANT

v.

Missouri-American Water Company,
RESPONDENT.

Case No. WC-2014-0099

Roger & Richard Neameyer,
COMPLAINANTS

v.

Missouri-American Water Company,
RESPONDENT.

Case No. WC-2014-0100

Robert Bangert,
COMPLAINANT
v.
Missouri-American Water Company,
RESPONDENT.

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Case No. WC-2014-0114

Jack King,
COMPLAINANT
v.
Missouri-American Water Company,
RESPONDENT.

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Case No. WC-2014-0115

William Kennedy,
COMPLAINANT
v.
Missouri-American Water Company,
RESPONDENT.

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Case No. WC-2014-0127

Roland & Barbara Orle,
COMPLAINANTS
v.
Missouri-American Water Company,
RESPONDENT.

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Case No. WC-2014-0129

Gerard & Carol Gerhart,
COMPLAINANTS
v.
Missouri-American Water Company,
RESPONDENT.

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Case No. WC-2014-0132

Lori McLauchlin,)	
COMPLAINANT)	
)	
v.)	Case No. WC-2014-0134
)	
Missouri-American Water Company,)	
RESPONDENT.)	

Clifton Dunn,)	
COMPLAINANT)	
)	
v.)	Case No. WC-2014-0135
)	
Missouri-American Water Company,)	
RESPONDENT.)	

**MOTION FOR CONSOLIDATION AND
EXTENSION OF TIME TO FILE ANSWERS**

COMES NOW Missouri-American Water Company (MAWC or Company) and, as its Motion for Consolidation and Extension of Time to File Answers, respectfully states as follows to the Missouri Public Service Commission (Commission):

BACKGROUND

1. Between October 16, 2013 and November 13, 2013, MAWC received eleven (11) formal complaints. These complaints are listed in the attached **Appendix A** (as well as in the above caption). All, but one, of these complaints¹ came from customers of Stonebridge, near Branson, Missouri, and generally concern billing and/or rates issues.

¹ The one formal complaint that was lodged during this timeframe that is unrelated to Stonebridge is Koverman WC-2014-0118. MAWC is not requesting that that the Kovermann matter be consolidated with the Stonebridge cases. Prior to this time period of newly filed cases, there was one pending formal complaint against MAWC, ***Charles Harter vs. MAWC***, WC-2013-0468, for which there was an evidentiary hearing on October 18, 2013.

2. On November 13, 2013, the Office of the Public Counsel (Public Counsel) filed a complaint against MAWC, which was identified as Cases Nos. SC-2014-0137 and WC-2014-0138 (OPC Complaint). (See **Appendix B**) The OPC Complaint cited as the basis for its complaints the eleven (11) complaints referenced in Appendix A.

3. The Commission issued an order in Cases Nos. SC-2014-0137 and WC-2014-0138 directing, among other things, that MAWC file an answer by December 13, 2013.

4. MAWC has been aware of billing issues associated with its customers in Stonebridge for some time. These billing issues are related to a software conversion that took place on May 20, 2013.

5. The Company believes that the issues which previously caused incorrect billing amounts for these customers have now been identified and are being resolved. MAWC continues to work with Stonebridge residents and members of the Commission Staff to confirm that this is the case and to resolve consequences associated with the problem bills. Recently, MAWC personnel met with the Stonebridge Home Owner's Association Board members on November 8, 2013, and will be holding a public meeting for all residents on November 21, 2013 at 8:30 am at the Ledgestone Country Club Clubhouse in Stonebridge Village, Branson, Missouri, to further discuss these matters. Members of the Commission Staff actively participated in the November 8 meeting and it is MAWC's understanding that they will be present for the November 21 meeting as well.

6. In the interim, an email address (mo-hypercare@amwater.com) for residents of Stonebridge has been established to receive concerns and/or comments.

These emails will generate a phone call from a MAWC billing personnel to the resident to further clarify billing corrections that have been made.

CONSOLIDATION

7. Commission Rule 4 CSR 240-2.110(3) states that “[w]hen pending actions involve related questions of law or fact, the commission may order a joint hearing of any or all the matters at issue, and may make other orders concerning cases before it to avoid unnecessary costs or delay.” The Commission has previously stated that Commission Rule 4 CSR 240-2.110(3) allows the Commission to consolidate pending actions involving related questions of law or fact. *See In the Matter of Highway H Utilities, Inc.*, Order Consolidating Cases, Case No. WA-2009-0316, 2009 Mo. PSC LEXIS 431 (May 19, 2009).

8. The above-captioned cases concern billing issues related almost exclusively to one subdivision, due to a single event, where MAWC provides service under a common tariff. These complaints involve related questions of law and fact.

9. MAWC suggests that consolidation of the referenced cases would further judicial economy and avoid unnecessary costs or delay. For example, taking this step would allow the Commission Staff to prepare and file a single recommendation and memorandum, and for the Company to address the common issues in a comprehensive manner.

10. Counsel for the Commission Staff has indicated that Staff does not object to the proposed consolidation of these cases.

ANSWERS

11. Answers to the complaints begin to come due on November 16, 2013, and, thereafter, come due on various dates through December 13, 2013. Rather than be required to respond to each of these complaints in a piecemeal fashion, MAWC requests that it be allowed to file a single answer. Setting the date for that answer in conjunction with the answer date in Cases No. SC-2014-0137 and WC-2014-0138 (OPC Complaint) would allow the parties to focus on solutions to the issues, where necessary, rather than legal defenses.

12. Accordingly, MAWC requests that the Commission grant it an extension, where necessary, such that MAWC's answer(s) to the referenced complaints is/are due on December 13, 2013.

WHEREFORE, MAWC respectfully requests that the Commission consolidate Cases Nos. WC-2014-0098, WC-2014-0099, WC-2014-0100, WC-2014-0114, WC-2014-0115, WC-2014-0127, WC-2014-0129, WC-2014-0132, WC-2014-0134, WC-2014-0135, SC-2014,0137, and WC-2014-0138, with WC-2014-0138 being the lead matter, and, further, issue its Order directing that MAWC's answer in this consolidated matter be due on December 13, 2013.

Respectfully submitted,

/s/ Timothy W. Luft

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by U.S. Mail, postage prepaid, or by electronic mail to the following on this 15th day of November, 2013:

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