

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

Janice Shands,	)	
	)	
COMPLAINANT,	)	
	)	
v.	)	<b><u>File No. WC-2015-0030</u></b>
	)	
Missouri-American Water Company,	)	
	)	
RESPONDENT.	)	

**RESPONSE TO SUPPLEMENTAL MEMO/MOTION**

COMES NOW Missouri-American Water Company (MAWC or Company) and, as its Response to Complainant’s Supplemental Memo/Motion filed on December 12, 2014, states as follows to the Missouri Public Service Commission (Commission):

1. After discussions in the prehearing conference, Complainant filed on December 12, 2014, a pleading entitled “Complainant’s Supplemental Memo/Motion” (12/12 Supplemental Memo). That pleading referenced and provided a copy of a “Plaintiffs’ Motion to set aside and amend order dismissing LaClede Gas and MAWC and confirming request for findings of fact and conclusions of law” filed on December 2, 2014, in St. Louis County Circuit Court Case No. 14SL-CC02207.

2. This pleading references the attached “Order Granting Defendant Missouri-American Water Company’s Motion to Dismiss Plaintiffs’ Third Amended Petition” (**Appendix A**), which was issued by the St. Louis County Circuit Court on November 21, 2014. That Order specifically stated, in part, as follows:

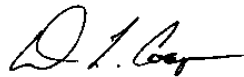
“... the Public Service Commission has the primary jurisdiction to hear Plaintiffs’ claims against Missouri-American Water Company. Missouri-American Water Company’s motion to dismiss is GRANTED and Plaintiffs’ action against Missouri-American Water Company’s is DISMISSED. This

dismissal is without prejudice to the parties' appeal of a Public Service Commission decision or enforcement action on a decision of the Public Service Commission, made pursuant to the statutory provisions providing therefor.'"

3. The Staff has previously moved to dismiss this complaint based on the fact that Complainant Janice Shands is not the customer of record with Company. MAWC does not object to such a dismissal. However, Company asks that any such order that may be issued by the Commission for this purpose be based upon a question of standing, rather than jurisdiction. As stated previously, the issues raised by the facts alleged in the Complaint concern customer identification, customer responsibility for bills, and the propriety of the bills themselves. These are matters that must be examined in light of the Company's tariffs, are squarely within the primary jurisdiction of this Commission, and could be addressed by the Commission, given the appropriate parties.

**WHEREFORE**, Missouri-American Water Company prays the Commission consider this Response and grant such relief as the Commission deems reasonable and just.

Respectfully submitted,



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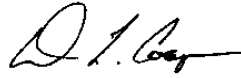
### **Certificate of Service**

I hereby certify that copies of the foregoing have been transmitted by electronic mail to the following on this 14<sup>TH</sup> day of December, 2014:

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