

FILE

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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PUCO

In the Matter of the Application of )  
**OHIO AMERICAN WATER COMPANY** )  
To Increase Its Rates for Water and Sewer )  
Service Provided to Its Entire Service Area. )

Case No. 07-1112-WS-AIR

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**MEMORANDUM CONTRA  
BY  
OHIO AMERICAN WATER COMPANY**

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Ohio American Water Company ("Ohio American" or "Company") filed an application for a rate increase in the above-entitled matter ("Application") on November 13, 2007. On November 20, 2007, the Office of the Ohio Consumers' Counsel ("OCC") filed a Motion to Intervene ("Motion").

Ohio American does not contest the right of OCC to intervene in this matter. This Memorandum Contra ("Memo Contra") is directed exclusively to OCC's statement that Ohio American "cannot bring a new rate case for residents of the Franklin County and Portage County districts at this time because of provisions in the settlement agreement" reached in Ohio American's last rate case, Case No. 06-433-WS-AIR. OCC stated that it contests that Ohio American fulfilled the conditions to resolve the water discoloration issue for the Huber Ridge system before filing a new rate case.

OCC contested Ohio American's statement that it had complied with Paragraph 12G, when it filed a letter dated July 20, 2007 in Case No. 07-252-WS-UNC. However, on the same date, July 20, 2007, Ohio American filed a reply to Staff's letter of July 13, 2007, which also

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addressed and contradicted OCC's interpretation of the relevant provisions concerning Huber Ridge.

Ohio American files this Memo Contra in order to preserve its opposition to OCC's statements concerning Ohio American's compliance with the relevant terms of the Stipulation in Case No. 06-433-WS-AIR. OCC indicated that it plans to file a separate proceeding in the near future, at which point, Ohio American will address OCC's further contentions.

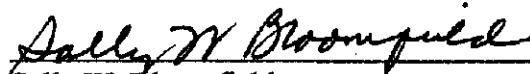
Respectfully submitted on behalf of  
OHIO AMERICAN WATER COMPANY



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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing Memorandum Contra was served by either electronic mail or regular U.S. Mail this 27<sup>th</sup> day of November 2007.



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