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March 1, 2002

**FILED**

MAR 01 2002

Missouri Public  
Service Commission

Mr. Dale Hardy Roberts, Secretary  
Public Service Commission  
Governor Office Building  
200 Madison Street, Suite 100  
P.O. Box 360  
Jefferson City, MO 65102-0360

**Re: In the Matter of the Joint Application of Missouri-American Water Company  
Case No. WO-2002-273**

Dear Mr. Roberts:

On behalf of Missouri-American Water Company, enclosed for filing in the above-referenced case please find an original and eight (8) copies of a Motion to Modify Procedural Schedule. Copies have been hand-delivered or mailed to all parties of record. Please note that I have enclosed a receipt copy of the Motion to Modify Procedural Schedule, which I ask that you file stamp and return with the messenger delivering same.

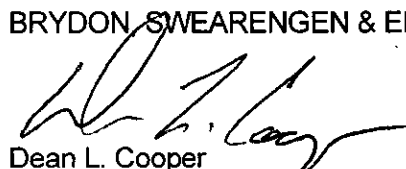
Thank you for your assistance with this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND, P.C.

By:

Dean L. Cooper



DLC/aw  
Enclosures

cc: Mr. Keith Krueger  
Mr. Stuart W. Conrad  
Mr. Jeremiah Finnegan

Ms. Ruth O'Neill  
Mr. James B. Deutsch

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED

MAR 01 2002

Missouri Public  
Service Commission

In the Matter of the Joint Application )  
of Missouri-American Water Company, )  
St. Louis County Water Company d/b/a )  
Missouri-American Water Company and )  
Jefferson City Water Works Company )  
d/b/a Missouri-American Water Company )  
for an accounting authority order relating )  
to security costs. )

Case No. WO-2002-273

**MOTION TO MODIFY PROCEDURAL SCHEDULE**

COMES NOW Missouri-American Water Company ("MAWC" or the "Company")<sup>1</sup>,  
and, as it motion to modify the procedural schedule, states the following to the Missouri  
Public Service Commission ("Commission"):

**SUMMARY**

MAWC moves the Commission to modify the procedural schedule that was  
previously established in this case by extending it for a period of approximately thirty (30)  
days in order to provide the parties additional opportunity to work through the discovery  
issues that have arisen in this case.

**BACKGROUND**

1. On January 18, 2002, the Commission issued its Order Granting Intervention  
and Adopting Procedural Schedule. That Order, among other things, adopted the following  
procedural schedule:

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<sup>1</sup> This case was initially filed by Missouri-American Water Company, St.  
Louis County Water Company d/b/a Missouri-American Water Company and Jefferson  
City Water Works Company d/b/a Missouri-American Water Company. Effective  
December 31, 2001, St. Louis County Water Company and Jefferson City Water Works  
Company were merged into Missouri-American Water Company. Thus, Missouri-  
American Water Company is the remaining applicant.

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Direct Testimony (Missouri-American)	January 31, 2002
Rebuttal Testimony (All Parties except Missouri-American)	March 7, 2002
Surrebuttal & Cross Surrebuttal Testimony (All Parties)	April 12, 2002
Joint Issues List	April 17, 2002
Position Statements and Proposed Findings of Fact and Conclusions of Law	April 24, 2002
Evidentiary Hearing	April 30 & May 1, 2002

2. Since the establishment of this procedural schedule, the parties have disagreed regarding how to address security information contained in MAWC's responses to data requests. MAWC has filed its Motion to Modify Protective Order, the Office of the Public Counsel ("Public Counsel") has filed its Motion to Compel (as well as its Motion to Dismiss), a prehearing conference has been held (February 22, 2002) to discuss the Commission Staff's ("Staff") discovery concerns and a flurry of pleadings concerning these matters have been filed.

3. In light of the discussions at the latest prehearing conference, Staff, the Public Counsel and MAWC have agreed to again attempt to see if their discovery differences and concerns can be addressed by agreement.

4. According to the existing procedural schedule, all parties other than MAWC are to file rebuttal testimony on March 7, 2002. It is clear that even if an agreement as to discovery is reached, it will not happen in time to allow for discovery to be conducted and testimony filed by March 7, 2002.

5. MAWC therefore moves that the Commission modify the existing procedural

schedule by extending it for approximately thirty (30) days, in order to provide the parties with additional time to address the discovery issues. MAWC proposes the following modified procedural schedule:

Rebuttal Testimony (All Parties except Missouri-American)	April 9, 2002
Surrebuttal & Cross Surrebuttal Testimony (All Parties)	May 7, 2002
Joint Issues List	May 14, 2002
Position Statements and Proposed Findings of Fact and Conclusions of Law	May 21, 2002
Evidentiary Hearing	As soon thereafter as the Commission has two consecutive days available for hearing

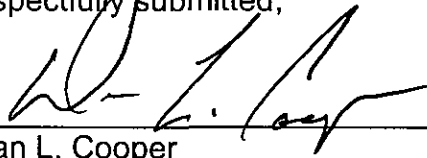
6. Counsel for the Staff; the Public Counsel; the City of Joplin; the City of Riverside; and AG Processing, a Cooperative, Friskies Petcare, a Division of Nestle USA and Wire Rope Corporation of America Inc. have stated that they have no objection to the modification to the procedural schedule requested herein.

WHEREFORE, MAWC respectfully requests that the Commission issue an order:

- 1) Modifying the procedural schedule as described herein; and,

- 2) Granting such further relief as is consistent with this pleading.

Respectfully submitted,



Dean L. Cooper MBE#36592  
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ATTORNEYS FOR  
MISSOURI-AMERICAN WATER COMPANY

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing document was sent by U.S. Mail, postage prepaid, or hand delivered, on this 1<sup>st</sup> day of March, 2002, to the following:

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