

FINNEGAN, CONRAD & PETERSON, L.C.

ATTORNEYS AND COUNSELORS AT LAW

1209 PENNTOWER OFFICE CENTER
3100 BROADWAY
KANSAS CITY, MISSOURI 64111

(816) 753-1122
TELECOPIER (816) 756-0373

JEREMIAH FINNEGAN, P.C.
STUART W. CONRAD
C. EDWARD PETERSON*

*ALSO ADMITTED IN
KANSAS AND MASSACHUSETTS

December 21, 2001

FILED³

DEC 26 2001

Missouri Public
Service Commission

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison, P.O. Box 360
Jefferson City, MO 65102

Re: Case No. WO-2002-273
Missouri-American Water Company AAO

Dear Judge Roberts:

Enclosed for filing find an original and nine copies of an Application to Intervene on behalf of the City of Riverside, Missouri.

Also enclosed is a self-addressed and stamped envelope for you to return the extra copy with the file stamp thereon.

If you have any questions regarding this filing, please contact me.

Very truly yours,

FINNEGAN, CONRAD & PETERSON, L.C.

By:


Jeremiah D. Finnegan

JDF:crb

Enclosures

cc: Office of Public Counsel
Dean Cooper
Stuart W. Conrad
James B. Deutsch
Hon. Betty Burch, Mayor

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

DEC 26 2001

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)
)
)

Missouri Public
Service Commission

Case No. WO-2002-273

APPLICATION TO INTERVENE
OF CITY OF RIVERSIDE, MISSOURI

Comes now the CITY OF RIVERSIDE, MISSOURI ("Riverside") pursuant to 4
C.S.R. 240-2.075 and applies to intervene herein and become a party hereto with respect to
the above matter. In support thereof, Riverside respectfully states:

1. The City of Riverside is a municipality located in Platte County and Riverside
and its residents and businesses receive water from Missouri-American Water Company
(Missouri-American) through its Parkville ("Platte County") District.
2. Correspondence, communications, orders and decisions in this matter should be
addressed to:

Jeremiah D. Finnegan, Esq.
FINNEGAN, CONRAD & PETERSON, L.C.
1209 Penntower Office Center
3100 Broadway
Kansas City, Missouri 64111

3. It has come to Riverside's attention that on or about December 10, 2001 Missouri-American filed an Application for Accounting Authority Order including a Motion for Expedited Treatment (Application). Among other things, the Application states that Missouri-American has "installed facilities to further safeguard" its water plants and systems in view of the events of September 11, 2001. Neither specific facilities that have been installed, nor a listing of costs connected with such installations, have been provided.

4. Missouri-American also seeks to justify the issuance of an Accounting Authority Order (AAO) based on a characterization of the terrorist attacks to New York City and Washington, DC as extraordinary events (which they certainly are) but fails to make any assertions that any extraordinary events have occurred to its plants or systems or that its plants or systems have been threatened in any extraordinary way such as would justify issuance of an accounting authority order under standards recognized by the Commission.

5. Initial investigation and review of the Application does not demonstrate that it requests relief that would be either just or reasonable.

6. Riverside is vitally interested in issues that are or may be raised by or developed as a result of the investigation of Missouri-American's Application including without limitation the implications that issuance of an AAO for unspecified activities and in unspecified amounts would have for the ratepayers of Missouri-American in the already overburdened Platte County ("Parkville") service district. In other words what Missouri-American is asking is that Riverside, its residents and businesses, "buy a pig in a poke."

7. As customers served by Missouri-American, Riverside and its residents and businesses may be bound or adversely affected by any Commission order in this

proceeding. Because of the structure of the rate schedules under which Missouri-American sells water and water supply services to Riverside and its residents and businesses, and because Riverside is a municipality, Riverside is in the special position of representing its own interests, those of its residents and businesses and possibly other interests which will not and cannot be represented adequately by any other party and which interests are direct, immediate and different from those of the general public. Therefore, it will aid the Commission and protect the public interest that Riverside be permitted to intervene in this proceeding to protect interests which no other parties are in a position properly to protect and adequately represent herein.

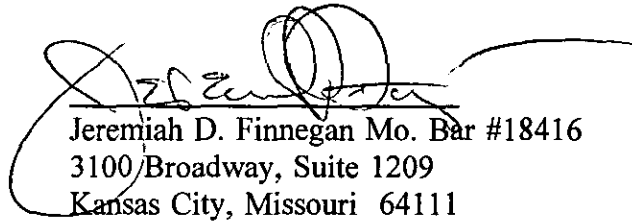
8. For purposes of 4 C.S.R. 240-2.075(2), Riverside states that it opposes the discriminatory pricing of public utility services, including those provided by Missouri-American and opposes the use of accounting authority orders that prevent public scrutiny, evaluation and investigation of claims of increased costs by public utilities and, therefore, opposes the relief sought by Missouri-American in this proceeding.

9. Moreover, despite the activity of this applicant in Missouri-American's most recent general rate case and Missouri-American's knowledge of its continuing interest in the level of rates in the Platte County ("Parkville") service area, this applicant received no notice whatever of this filing and became aware of such only because their counsel was advised of such filing by one of the attorneys for the Public Counsel. No notice whatever of this Application has been given to the public generally or to customers that would be affected in any of the respective service areas of the utility.

WHEREFORE, Riverside prays: (a) that it be permitted to intervene herein and be made a party hereto with all rights to have notice of and participate in all proceedings and hearings to present evidence, to cross-examine witnesses, file briefs and participate in argument if any be held; (b) that proper public notice of this Application be given; and (c) for all other needful and proper relief.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

A handwritten signature in black ink, appearing to read "Jeremiah D. Finnegan", is written over a horizontal line.

Jeremiah D. Finnegan Mo. Bar #18416
3100 Broadway, Suite 1209
Kansas City, Missouri 64111
(816) 753-1122
Facsimile (816)756-0373
Internet: jfinnegan@fcplaw.com

ATTORNEYS FOR CITY OF RIVERSIDE,
MISSOURI

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing Application to Intervene by electronic, by hand delivery or by U.S. mail, postage prepaid addressed to the following persons:

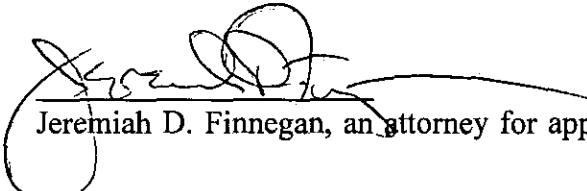
Office of the Public Counsel
P. O. Box 7800
Jefferson City, MO 65102

Mr. Dean L. Cooper
Brydon, Swearengen & England, P.C.
312 East Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102-0456

Stuart W. Conrad
3100 Broadway, Suite 1209
Kansas City, Missouri 64111

James B. Deutsch
Blitz, Bardgett & Deutsch, LC
308 East High Street
Suite 301
Jefferson City, MO 65101

Dated: December 21, 2001



Jeremiah D. Finnegan, an attorney for applicant