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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Osage)
Water Company for Permission, Approval, and a)
Certificate of Convenience and Necessity)
Authorizing It to Construct, Install, Own,) Case No. WA-99-437
Operate, Control, Manage and Maintain a Water)
and Sewer System for the Public Located in an)
Unincorporated Portion of Camden County,)
Missouri, Known as Eagle Woods.)

NOTICE OF OFFICIAL NOTICE

On September 3, 1999, Osage Water Company filed with the Missouri Public Service Commission (Commission) its 1998 Annual Report (Report).

Section 536.070(5) RSMo 1994 states:

[In any contested case, r]ecords and documents of the agency which are to be considered in the case shall be offered in evidence so as to become a part of the record, the same as any other evidence, but the records and documents may be considered as a part of the record by reference thereto when so offered.

Commission Rule 4 CSR 240-2.130 Evidence (2) states:

If any information contained in a document on file as a public record with the commission is offered in evidence, the document need not be produced as an exhibit unless directed otherwise by the presiding officer, but may be received in evidence by reference, provided that the particular portions of the document are specifically identified and are relevant and material.

On September 30, 1999, the City of Osage Beach, Missouri, an Intervenor in this case, filed Rebuttal Testimony of Paula Hertwig

Hopkins that contained references to the Report. One such reference is found, for example, in lines 1 through 3 of page 17 of said testimony.

Thus, for the Report to be considered and then to become part of the record without the need of producing it as an exhibit, the Commission takes official notice of the whole document known as the Osage Water Company - 1998 Annual Report, filed on September 3, 1999, receives the Report into evidence by reference, and finds that the Report is relevant and material.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Dated at Jefferson City, Missouri,
on this 29th day of November, 1999.

Hopkins, Senior Regulatory Law Judge

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COMMISSION COUNCIL
PUBLIC SERVICE COMMISSION