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November 24, 1999

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

RE: Terre Du Lac Utilities Corporation
Case No. WR-2000-68

Dear Mr. Roberts:

Enclosed for filing please find the original and fourteen copies of **Public Counsel's Request for Variance to Allow Additional Time for Filing of Recommendation**. I have on this date mailed or hand-delivered copies to all counsel of record. Please "file" stamp the extra-enclosed copy and return it to this office.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, reading "John B. Coffman".

John B. Coffman
Deputy Public Counsel

JBC/mm

Enclosures

cc: Counsel of Record

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

In the Matter of Terre Du Lac Utilities)	Case No. WR-2000-68
Corporation Water Rate Increase Request.)	File No. 9900333

In the Matter of Terre Du Lac Utilities)	Case No. SR-2000-69
Corporation Sewer Rate Increase Request.)	File No. 9900334

**Public Counsel's Request for
Variance to Allow Additional Time for Filing of Recommendation**

Comes Now the Office of the Public Counsel (Public Counsel), pursuant to 4 CSR 240-2.060 (11), and for its Request for Variance to Allow Additional Time for Filing of Recommendation states as follows:

1. At the local public hearing held in the above-styled cases on November 16, 1999 in Bonne Terre, Missouri, the Public Service Commission (Commission) received sworn testimony from sixteen customers of Terre Du Lac Utilities Corporation (Company). The testimony of these customers included several serious allegations regarding the quality of the water and sewer service currently being provided by Company. Because the transcript of the local public hearing has not yet been prepared, specific citations are not yet possible; however, the allegations include references to chronic water main leaks, recent instances of low water pressure and water outages, complaints about sediment in the water, complaints about the taste and smell of the water provided, chronic sewer system overflows, lack of notice regarding water outages, lack of response to customer inquiries, and otherwise poor customer service. Public Counsel expects that the transcript of the local public hearing testimony will provide evidence

that Company is not currently providing safe and adequate water and sewer service. Public Counsel believes that it is in the public interest for the Commission to ensure that safe and adequate service is being provided before any water or sewer rate request is granted in these cases.

2. On November 24, 1999, the Staff of the Commission (Staff) filed its Notice of Intent to Conduct Further Investigation and Motion to Further Suspend Tariff Sheets, providing notice of Staff's intent to conduct further investigation into the quality of service complaints raised at the local public hearing and further requesting that the pending tariff sheets be suspended until March 1, 2000. Public Counsel believes that Staff's requests are appropriate under the circumstances and supports said requests.

3. Pursuant to 4 CSR 240-2.200 (1) (F), Public Counsel is required within 10 days after the local public hearing, to submit its position regarding the joint recommendation of Company and Staff for increases to Company's water and sewer revenues. Public Counsel believes that good cause exists to allow a variance from this requirement of the rule so that it may file its recommendation regarding these cases subsequent to any report that Staff may prepare regarding its investigation of the issues raised by the local public hearing testimony.

4. If the Commission is not inclined to grant this request for variance, Public Counsel would hereby submit its disagreement regarding the current recommendation for water and sewer rate increases on the basis that serious doubts exist regarding whether Company is currently providing safe and adequate water and sewer service.

WHEREFORE: Public Counsel respectfully requests that the Commission grant the variance described herein, or in the alternative, accept Public Counsel's disagreement regarding the current water and sewer recommendations of these two cases.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: 

John B. Coffman

(#36591)

Deputy Public Counsel

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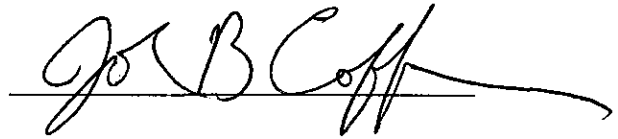
(573) 751-5562 FAX

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the following this 24th day of November, 1999:

David Stueven
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

James O. Kwon
Terre Du Lac Utilities
110 Rue Terre Bonne
Bonne Terre, MO 63628

A handwritten signature in black ink, appearing to read "J O Kwon", is written over a horizontal line. The signature is stylized with a large "J" and "O", and a cursive "Kwon".