STATE OF MISSOURI PUBLIC SERVICE COMMISSION JEFFERSON CITY February 14, 2002

CASE NO: WA-2002-65

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Enclosed find certified copy of an ORDER in the above-numbered case(s).

Sincerely,

Dale Hardy Roberts

Hole Hard Roberts

Secretary/Chief Regulatory Law Judge

STATE OF MISSOURI PUBLIC SERVICE COMMISSION

At a Session of the Public Service Commission held at its office in Jefferson City on the 14th day of February, 2002.

In the Matter of the Application of Environmental Utilities, LLC, for Permission, Approval, and a Certificate of Convenience and Necessity Authorizing It to Construct, Install, Own, Operate, Control, Manage and Maintain a Water System for the Public Located in Unincorporated Portions of Camden County, Missouri (Golden Glade Subdivision)))) <u>Case No. WA-2002-65</u>)
Subdivision))

ORDER RESCHEDULING SECOND DAY OF HEARING

This order reschedules the second day of the hearing in this case from March 4, 2002, to March 25, 2002.

On January 14, 2002, the Commission issued an order scheduling a second day of hearing for March 4, 2002. On January 23, Hancock Construction Company filed a motion asking the Commission to reschedule the second day of hearing from March 4, to a later date. Hancock's motion indicates that its witness, David Hancock, will be out of state and unavailable to testify until after March 18.

Commission rule 4 CSR 240-2.080(16) provides that parties are allowed not more than ten days from the date of filing in which to respond to any pleading unless otherwise ordered by the Commission. Ten days from January 23 is February 2. No party filed a response within the ten days allowed by the rule. On February 11, Environmental Utilities filed a response in which it opposed Hancock's request to reschedule the hearing.

A short continuance will not be detrimental to any party. The Commission will act to modify the procedural schedule so that the second day of hearings will be held on March 25, rather than March 4.

IT IS THEREFORE ORDERED:

- 1. That the procedural schedule previously approved in this case is modified to provide that a second day of hearings shall be held on March 25, 2002, beginning at 8:30 a.m.
 - 2. That this order shall become effective on February 24, 2002.

BY THE COMMISSION

Hole Hold Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge

(SEAL)

Simmons, Ch., Murray, Lumpe and Forbis, CC., concur Gaw, C., not participating

Woodruff, Senior Regulatory Law Judge

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,

Missouri, this 14th day of Feb. 2002.

Dale Hardy Roberts

Hoke Hold Roberts

Secretary/Chief Regulatory Law Judge