

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
December 21, 2001**

**CASE NO: WC-2002-155**

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

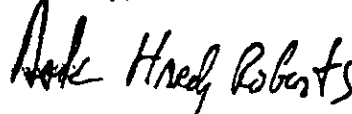
**General Counsel**  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

**Gary L. Smith**  
Warren County Water & Sewer Company  
P.O. Box 150  
Foristell, MO 63348

**Paul S. DeFord**  
2345 Grand Blvd.  
Suite 2800  
Kansas City, Mo 64108

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

Sincerely,



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

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

Office of the Public Counsel,

Complainant,

v.

Warren County Water and Sewer  
Company and Gary L. Smith,

Respondents.

**Case No. WC-2002-155**

Office of the Public Counsel,

Complainant,

v.

Warren County Water and Sewer  
Company and Gary L. Smith,

Respondents.

**Case No. SC-2002-160**

**ORDER CONSOLIDATING CASES, SCHEDULING PREHEARING CONFERENCE,  
AND DIRECTING FILING OF PROCEDURAL SCHEDULE**

On September 26, 2001, the Office of the Public Counsel filed two complaints against Warren County Water and Sewer Company and Gary L. Smith, one concerning water operations and one concerning sewer operations. Complainant asked that the cases be consolidated because they deal with similar questions of law and fact. On November 1, Respondents filed a request that the Commission refer the case to a neutral third party

mediator. On November 13, Complainant refused to mediate. On December 7, Respondents timely filed their answer, and on December 20, Complainant filed a response to the answer.

Respondents do not oppose consolidation, and the cases do appear to deal with similar questions of law and fact. The Commission will grant the motion to consolidate.

This matter is now at issue and a prehearing conference and procedural schedule are appropriate to ensure its prompt resolution. At the prehearing conference, the parties or their representatives should be prepared to discuss the nature of any discovery each will conduct and the interval necessary for its completion; the number of witnesses each expects to call at hearing; the number and nature of any exhibits each expects to offer at hearing; and the anticipated length of the hearing. The parties or their representatives should also be prepared to discuss the current status of settlement negotiations. It is expected that the prehearing conference will provide an opportunity for the parties to further pursue settlement discussions.

The parties shall jointly file a proposed procedural schedule. The proposed procedural schedule shall establish dates for the filing of a list of the issues to be determined by the Commission and statements by the parties of their position on each such issue. The proposed procedural schedule shall also include a date for the filing of a list of the witnesses to be called on each day of hearing, the order in which they shall appear and the order of cross-examination agreed upon by the parties. The proposed procedural schedule shall also establish dates for the hearing of this matter.

**IT IS THEREFORE ORDERED:**

1. That Case Number SC-2002-160 is consolidated with Case Number WC-2002-155, with Case Number WC-2002-155 being the lead case.
2. That a prehearing conference shall be held on January 9, 2002, beginning at 10:00 a.m. The prehearing conference shall be held at the Commission's office in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, a building that meets accessibility standards of the Americans with Disabilities Act. Any person who needs specific accessibility accommodations may call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or 1-800-829-7541 (TDD) prior to the hearing.
3. That the parties shall file a proposed procedural schedule no later than January 16, 2002. The procedural schedule shall include dates for the filing of testimony and for a hearing.
4. That this order shall become effective on December 31, 2001.

**BY THE COMMISSION**

(SEAL)



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

Lewis Mills, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

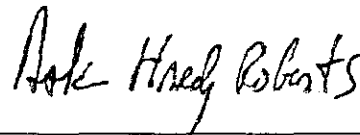
Dated at Jefferson City, Missouri,  
on this 21st day of December, 2001.

**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 21<sup>st</sup> day of Dec. 2001.



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**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

