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C. EDWARD PETERSON*

*ALSO ADMITTED IN
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January 11, 2000

FILED

JAN 11 2000

FEDERAL EXPRESS

Mr. Dale H. Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
301 West High R530
Jefferson City, Missouri 65102

Missouri Public
Service Commission

Re: **Missouri-American Water Company**
Missouri PSC Case No. WR-2000-281 et al.

Dear Mr. Roberts:

Enclosed are the original and fourteen (14) conformed copies of **Industrial Intervenors' Supplement to Reply**, which please file in the above matter and call to the attention of the Commission.

An additional copy of the **INITIAL PAGE** of the material to be filed is enclosed, which kindly mark as received and return to me in the enclosed envelope as proof of filing.

Thank you for your attention to this important matter. If you have any questions, please call.

Sincerely yours,

FINNEGAN, CONRAD & PETERSON, L.C.

By: 

Stuart W. Conrad

SWC:s
Enclosures
cc: All Parties

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STATE OF MISSOURI
MISSOURI PUBLIC SERVICE COMMISSION

JAN 11 2000

Missouri Public
Service Commission

In the Matter of Missouri-American)	
Water Company's Tariff Sheets De-)	
signed to Implement General Rate)	WR-2000-281
Increases for Water and Sewer Ser-)	SR-2000-282
vice provided to Customers in the)	(Consolidated)
Missouri Service Area of the Compa-)	
ny)	

INDUSTRIAL INTERVENORS' SUPPLEMENT TO REPLY TO
MAWC'S RESPONSE TO MOTION TO COMPEL
RESPONSE TO DATA REQUESTS
AND
REQUEST FOR EXPEDITED TREATMENT

COME NOW AG PROCESSING INC, A COOPERATIVE ("AGP"),
FRISKIES PETCARE, A DIVISION OF NESTLE USA ("Friskies") and WIRE
ROPE CORPORATION OF AMERICA INC. ("Wire Rope") (collectively
"Industrial Intervenors") and supplement their reply to MAWC's
Response dated January 6, 2000 as follows:

1. In information made available only today, it now
appears that both Commission Staff and Public Counsel have
propounded data requests to MAWC that are similar to that pro-
pounded by Industrial Intervenors. Copies of Staff's Data
Request No. 10 and Public Counsel's Data Request No. 3001 are
attached to this Supplement as Exhibits "A" and "B" respectively.

2. These data requests are dated October 26 and
November 15, respectively. In either case, unless transmission
was substantially deferred, objections would have been due and
responses may have been made available. To our knowledge, MAWC

has not objected to either request and, presumably, has complied with the requests and provided the data.

3. Although Staff requested copies of Public Counsel's data requests and responses and Public Counsel requested copies of Staff's data requests and responses, MAWC has objected to neither. If the case cited by MAWC is valid as an objection against Industrial Intervenors, it would be no less valid to prevent Public Counsel from having access to Staff data requests or responses, or vice versa. Although Staff and Public Counsel have statutory responsibilities, those responsibilities are clearly not identical.

4. By selective compliance and selective objections, MAWC promotes the interest of selected litigants and obstructs the interests of other litigants. In this case, MAWC obstructs the interest of **actual ratepayers whose rates are proposed to be increased by 67%!**

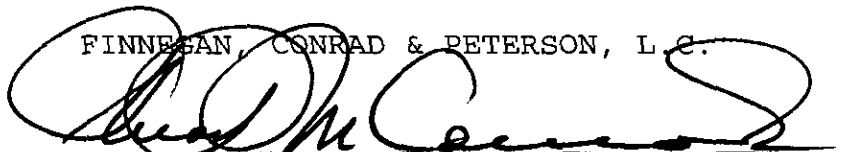
5. Missouri's courts have held that due process requires that administrative hearings be fair and consistent with rudimentary elements of fair play. ***State ex rel. Fischer v. Public Service Commission***, 645 S.W.2d 39, 43 (Mo.App. 1982), cert denied, 464 U.S. 819, 104 S.Ct. 81, 78 L.Ed.2d 91 (1983). The ratemaking process is supposed to involve fair play and a full hearing. ***State ex rel. Arkansas Power & Light Company v. Public Service Commission***, 736 S.W.2d 457, 460 (Mo. App., W.D. 1987). A process that involves one party being able to ask for exactly the

same information as another party **has obtained without objection**, yet be faced with discriminatory assertion of objections, is certainly not "fair" nor is it "fair play." It is also not due process. The discriminatory treatment and selective obstructionist objections asserted by MAWC are now exposed.

WHEREFORE, for the foregoing reasons, the Commission should direct Missouri-American Water Company to forthwith comply with Industrial Intervenors' Data Request No. 1 and should rule on this motion on an expedited basis.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

A large, stylized handwritten signature in black ink, appearing to read 'Stuart W. Conrad', is written over the printed name and firm name.

Stuart W. Conrad Mo. Bar #23966
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Internet: stucon@fcplaw.com

ATTORNEYS FOR AG PROCESSING INC.,
FRISKIES PETCARE, A DIVISION OF
NESTLE USA and WIRE ROPE CORPORATION
OF AMERICA, INC.

CERTIFICATE OF SERVICE

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

Mr. John Coffman
Assistant Public Counsel
Office of the Public Counsel
P. O. Box 7800
Jefferson City, MO 65102

Mr. Dean Cooper
Brydon, Swearengen & England, P.C.
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Mr. James B. Deutsch
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St. Joseph, MO 64501

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Stewart & Keevil
1001 E. Cherry Street
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Columbia, MO 65201

Martin W. Walter
Attorney
Blake & Uhlig, P.A.
2500 Holmes Road
Kansas City, MO 64108

Dated: January 11, 2000



Stuart W. Conrad

No. 10

DATA INFORMATION REQUEST

Missouri-American Water Company

CASE NO. WR-00-281

Requested From: Jim Salaw

Date Requested: 10/26/99

Information Requested:

Please provide copies of all data requests and/or interrogatories submitted to the Company from all other parties/intervenors in this case and the Company's responses to those requests.

Same thing as P
asked for -
All DR's by
others.

Requested By: Doyle Gibbs

Information Provided:

The attached information provided to the Missouri Public Service Commission staff in response to the above data information request is accurate and complete, and contains no material misrepresentations or omissions, based upon present facts of which the undersigned has knowledge, information or belief. The undersigned agrees to immediately inform the Missouri Public Service Commission staff if, during the pendency of case No. WR-00-281 before the Commission, any matters are discovered which would materially affect the accuracy or completeness of the attached information.

If these data are voluminous, please (1) identify the relevant documents and their location (2) make arrangements with requestor to have documents available for inspection in the Missouri-American Water Company office, or other location mutually agreeable. Where identification of a document is requested, briefly describe the document (e.g. book, letter, memorandum, report) and state the following information as applicable for the particular document: name, title, number, author, date of publication and publisher, address, date written, and the name and address of the person(s) having possession of the document. As used in this data request the term "document(s)" includes publication of any format, workpapers, letters, memoranda, notes, reports, analyses, computer analyses, test results, studies of data, recordings, transcriptions and printed, typed or written materials of every kind in your possession, custody or control within your knowledge. The pronoun "you" or "your" refers to Missouri-American Water Company and its employees, contractors, agents or others employed by or acting in its behalf.

Signed By: _____

No Response Received: _____

Prepared By: _____

EXHIBIT

A

Page 1 of 1

01/11/00 11:22
11/15/1999 16:43

314 275 7036
OFFICE OF PUBLIC COUNSEL

BRUBAKER

573 751 5562 P.03
002

No. 3001

MISSOURI-AMERICAN WATER COMPANY
CASE NO. WR-2000-281

PUBLIC COUNSEL DATA REQUEST

*Same Thing
As P asked for*

REQUESTED FROM: DEAN COOPER

DATE OF REQUEST: November 15, 1999

INFORMATION REQUESTED: Please provide a copy of Missouri-American Water Company (MAWC)'s responses to each Data Request or Interrogatory asked by other parties to this case. This data request, like all other OPC DRs, should be considered an ongoing request, the answer to which should be updated (added to) at regular intervals.

REQUESTED BY: HONG HU, Public Utility Economist

The information provided to the Office of the Public Counsel in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present known facts to the undersigned. The undersigned agrees to immediately inform the Office of the Public Counsel if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

EXHIBIT B

Page 1 of 1

DATE RECEIVED: _____

SIGNED BY: _____

TITLE: _____