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December 28, 2001

FEDERAL EXPRESS

Mr. Dale H. Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison Street, Suite 100
Jefferson City, Missouri 65101

Re: **Missouri-American Water Co. et al.**
Case No. WO-2002-273

FILED³
DEC 28 2001
Missouri Public
Service Commission

Dear Mr. Roberts:

Enclosed are the original and eight (8) conformed copies of **Response to Applicant's Withdrawal and Proposed Schedule by Ag Processing, Inc., a Cooperative, Friskies Petcare, a Division of Nestle' USA, and Wire Rope Corporation of America, Inc.,** which please file in the above matter and call to the attention of appropriate Commission personnel.

An additional copy of the pleading 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

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

DEC 8 2001

Missouri Public
Service Commission

In the Matter of the Joint Applica-)
tion of Missouri-American Water)
Company, St. Louis County Water)
Company d/b/a Missouri-American)
Water Company and Jefferson City)
Water Works Company d/b/a Missouri-)
American Water Company for an ac-)
counting authority order relating)
to security costs)

Case No. WO-2002-273

RESPONSE TO APPLICANT'S WITHDRAWAL AND PROPOSED SCHEDULE
BY AG PROCESSING INC, A COOPERATIVE,
FRISKIES PETCARE, A DIVISION OF NESTLE USA, AND
WIRE ROPE CORPORATION OF AMERICA, INC.

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") and pursuant to
earlier orders, respond to the pleading entitled "Proposed
Procedural Schedule" that was filed by Applicant Companies
(Applicants) on December 21, 2001.

1. AGP, Friskies and Wire Rope opposed the Motion for
Expedited Treatment that had been filed by Applicants. At the
prehearing, Applicants were provided through December 21 to
supplement their Motion, and opponents through today to respond.
Inasmuch as Applicants have withdrawn their Motion, no further
response thereto is required.

2. Applicants also proposed a procedural schedule.
Pursuant to information supplied by Staff Counsel regarding dates

that are available for hearing, AGP, Friskies and Wire Rope would propose the following:^{1/}

a. If **two days** of hearing were anticipated, Staff Counsel advised that May 9 and 10 were available. Giving consideration to sufficient interstitial time for data requests and responses to be circulated, the following rough schedule is produced:

ACTIVITY	DAYS TO NEXT ACTIVITY	DATE
Direct Testimony	40	2/15/02
Rebuttal Testimony	30	3/27/02
Surrebuttal Testimony	7	4/26/02
Statements of Position/Statements of Issues	6	5/3/02
Evidentiary Hearing	14	5/9-10/02
Transcript Available	31	5/24/02
Initial Briefs	21	6/24/02
Reply Briefs	45	7/15/02
Likely Decision Expected		8/29/02

b. If **three days** of hearing were anticipated, Staff Counsel advised that June 4-6 were available. Giving consideration to sufficient interstitial time for data requests and responses to be circulated, the following rough schedule is produced:

^{1/}In each case the interstitial days have been adjusted to avoid filing dates falling on weekends; it is not certain that all holidays have been similarly avoided. Further, no dates have been suggested for prehearing conference time, as it is believed that such arrangements may be developed by the parties with the concurrence of the assigned administrative law judge.

ACTIVITY	DAYS TO NEXT ACTIVITY	DATE
Direct Testimony	40	3/15/02
Rebuttal Testimony	30	4/24/02
Surrebuttal Testimony	6	5/24/02
Statements of Position/Statements of Issues	5	5/30/02
Evidentiary Hearing	14	6/4-6/02
Transcript Available	30	6/19/02
Initial Briefs	20	7/19/02
Reply Briefs	45	8/8/02
Likely Decision Expected		9/22/02

3. AGP, Friskies and Wire Rope have no information at this point to suggest that the hearing would require three days, two days, or some lesser time. Experience of counsel suggests that given the number of separate districts and installations operated by the Applicants that might require address, cross-examination or other inquiry, planning for a single day of hearing at this point might be unduly optimistic, while planning for three days might be unreasonably sanguine.

4. Whatever schedule is ultimately adopted, AGP, Friskies and Wire Rope recommend that sufficient time be provided for discovery following upon each round of testimony. Alternatively, the Commission generically could shorten the time for responses to data requests thereby allowing some compression of each of these suggested schedules.

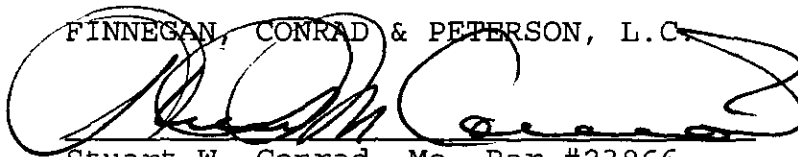
5. Applicants proposed that "all parties" file direct testimony. These intervenors disagree. AGP, Friskies and Wire Rope believe that it is the obligation of the Applicant utilities

to file direct testimony that affirmatively makes their case for the claim of relief, establishes their contentions in support of such relief, and marks out the contours of the relief sought. Other parties should have the opportunity to respond thereto as and to the extent they so choose.

WHEREFORE, AGP, Friskies and Wire Rope respectfully suggest consideration of a two-day hearing schedule and that sufficient time be provided between testimony filing dates such that all parties may have adequate time to propound and receive data requests and prepare responsive testimony.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

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

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing pleading by electronic, by hand delivery, or by U.S. mail, postage prepaid addressed to the following persons:


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Dated: December 28, 2001


Stuart W. Conrad, an attorney for
responding intervenors