

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

Office of the Public Counsel,)	
)	
Complainant,)	
)	
v.)	
)	Case No. WC-2002-155
Warren County Water and Sewer)	
Company and Gary L. Smith,)	
)	
Respondents.)	

**STAFF'S NOTICE OF INTENT
NOT TO FILE REPLY BRIEF**

COMES NOW the Staff of the Missouri Public Service Commission, and respectfully informs the Missouri Public Service Commission that it does not intend to submit a Reply Brief in this case.

Initial Briefs were due in this case on July 9, 2002, and Supplemental Initial Briefs were due on August 15, 2002. The Staff and the Office of the Public Counsel both filed Initial Briefs on their due dates, and the Office of the Public Counsel filed a Supplemental Initial Brief on its due date. However, neither Respondent Warren County Water and Sewer County nor Respondent Gary L. Smith has filed either an Initial Brief or a Supplemental Initial Brief in this case.

The Staff does not find it necessary to respond to the briefs filed by the Office of the Public Counsel, and because the respondents have not filed any brief, no response is necessary.

WHEREFORE, the Staff requests that the Commission find that Warren County Water and Sewer Company is unable and unwilling to provide safe and adequate service to its

customers, and that it direct the General Counsel to petition the circuit court for an order attaching the assets of the company and placing the Company under the control and responsibility of a receiver.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ Keith R. Krueger

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or e-mailed to all counsel of record this 29th day of August 2002.

/s/ Keith R. Krueger