

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

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,)	<u>Case No. WA-2002-65</u>
Manage and Maintain a Water System for the Public)	
Located in Unincorporated Portions of Camden)	
County, Missouri (Golden Glade).)	

NOTICE OF INTENT
NOT TO FILE REPLY BRIEF

COMES NOW, the Office of the Public Counsel, and respectfully informs the Missouri Public Service Commission of its intent not to file a reply brief in the above captioned matter. Public Counsel notes that its position has not changed from the time of filing the initial brief. Further, the information contained in Appendix A to the Public Service Commission Staff's Reply Brief should be considered in deciding whether to grant the certificate. The documents in the Appendix appear to indicate that Osage Water Company no longer intends to provide water or sewer service to Eagle Woods. If that is the case, then there is no need for Environmental Utilities to enter into a water supply agreement with Osage, and the EU application is not financially viable.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ M. Ruth O'Neill

By: _____
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the following this 13th day of September 2002:

GENERAL COUNSEL

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