

BEFORE THE PUBLIC SERVICE COMMISSION

STATE OF MISSOURI

FILED³

MAY 06 2005

Missouri Public
Service Commission

IN THE MATTER OF THE JOINT APPLICATION OF)
MISSOURI-AMERICAN WATER COMPANY AND BOTH)
OSAGE WATER COMPANY AND ENVIRONMENTAL)
UTILITIES, L.L.C., FOR AUTHORITY FOR MISSOURI-)
AMERICAN WATER COMPANY TO ACQUIRE THE)
WATER AND SEWER ASSETS OF BOTH ENTITIES, AND)
FR TRANSFER TO MISSOURI-AMERICAN WATER)
COMPANY OF CERTIFICATES OF CONVENIENCE)
AND NECESSITY TO CONTINUE OPERATION OF SUCH)
ASSETS AS WATER AND SEWER CORPORATIONS)
REGULATED BY THE MISSOURI PUBLIC SERVICE)
COMMISSION)

Case No. WO-2005-0086

SUPPORT OF INTERVENER HANCOCK CONSTRUCTION
FOR STAFF MOTION TO REJECT TRANSACTION
AND DISMISS APPLICATION

Comes now Intervener Hancock Construction in support of the Staff's Motion to Reject Transaction and Dismiss Application and states:

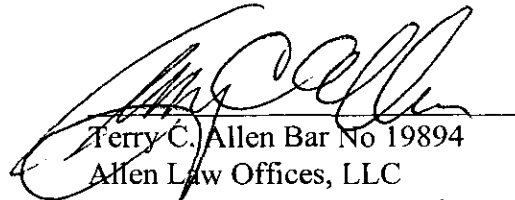
1. The failure to grant the Motion leaves this entire matter in chaos and uncertainty.

Apparently OWC has no funds to really operate its system. There is now a recent garnishment by another contractor of monies due OWC which has an obvious substantial impact of its ability to provide any service and the Staff asserts that there are persistent operational problems plaguing OWC.

2. Further we believe that the Circuit Court will continue to defer ruling the request for a receivership as long as the PSC has not acted to grant or to dismiss the application. Further the Office of Attorney General has stated before this Commission that there is serious concern as to the viability of the application itself as not meeting the requirements of law governing such applications before the PSC. To get this off dead center the Motion of Staff should be granted.

It is obviously in the best interest of the Public to grant the Motion and get on with this case in Circuit Court.

RESPECTFULLY SUBMITTED



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CERTIFICATE OF SERVICE

The foregoing with attachment was mailed to those listed below on this the 5 day of May, 2005 first class mail postage prepaid.

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