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June 13, 2003

JEREMIAH FINNEGAN, P.C. STUART W. CONRAD C. EDWARD PETERSON\*

\*ALSO ADMITTED IN KANSAS AND MASSACHUSETTS

Mr. Dale Hardy Roberts Secretary/Chief Regulatory Law Judge Missouri Public Service Commission 200 Madison, P.O. Box 360 Jefferson City, MO 65102

FILED<sup>3</sup> JUN 1 7 2003

> issouri Public Be Certimission

Re: Case No. WR-2003-0500 Missouri-American Water Company Rate Case

Dear Judge Roberts:

Enclosed for filing find an original and nine copies of an Application to Intervene on behalf of the City of Riverside, Missouri.

Also enclosed is a self-addressed and stamped envelope for you to return the extra copy with the file stamp thereon.

If you have any questions regarding this filing, please contact me.

Very truly yours,

FINNEGAN, CONRAD & PETERSON, L.C. By: Jeremiah D. Finnegan

JDF:crb Enclosures cc: Office of Public Counsel W. R. England, III Hon. Betty Burch, Mayor

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# **FILED**<sup>3</sup>

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

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## Missouri Public Servico Commission

In the Matter of Missouri-American Water Company's Tariff to Revise Water and Sewer Rate Schedules

Case No. WR-2003-0500

### APPLICATION TO INTERVENE OF CITY OF RIVERSIDE, MISSOURI

Comes now the CITY OF RIVERSIDE, MISSOURI ("Riverside") pursuant to 4 C.S.R.

240-2.075 and applies to intervene herein and become a party hereto with respect to the above matter. In support thereof, Riverside respectfully states:

1. The City of Riverside ("Riverside") is a municipality located in Platte County

and the City and its residents and businesses receive water from Missouri-American Water

Company (Missouri-American) through its Parkville ("Platte County") District.

2. Correspondence, communications, orders and decisions in this matter should be addressed to:

Jeremiah D. Finnegan, Esq. FINNEGAN, CONRAD & PETERSON, L.C. 1209 Penntower Office Center 3100 Broadway Kansas City, Missouri 64111

3. It has come to Riverside's attention that on or about May 19, 2003 Missouri-American filed proposed tariff sheets to implement a general rate increase for water and sewer service designed to produce an annual \$20 million in gross annual water revenues or a 12.2%

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increase over current water revenues and an additional \$1,637 in gross annual sewer revenues or a 3.3% increase over current sewer revenues. A portion of such increased revenues are to come from both water and sewer customers in the Parkville District in which Riverside is located.

4. As customers served by Missouri-American, Riverside and its residents and businesses may be adversely affected by any Commission order in this proceeding. Because of the structure of the rate schedules under which Missouri-American sells services to Riverside and its residents and businesses, and because Riverside is a municipality, Riverside is in the special position of representing its own interests as well as those of the residents and businesses within its boundaries, whose welfare is of paramount concern to the City of Riverside and which may not be represented adequately by any other party and which interests are direct, immediate and different from those of the general public. Therefore, it will aid the Commission and promote the public interest that Riverside be permitted to intervene in this proceeding to protect interests which no other parties are in a position to properly protect and adequately represent herein.

5. For purposes of 4 C.S.R. 240-2.075(2), Riverside states that it opposes the discriminatory pricing of public utility services, including those services provided by Missouri-American, and is opposed to any unjust and unreasonable rate increases that may impact Riverside, its residents and businesses.

WHEREFORE, Riverside prays that it be permitted to intervene herein and be made a party hereto with all rights to notice of and participate in all proceedings and hearings to present evidence, to cross-examine witnesses, file briefs and participate in argument if any be held; and for all other needful and proper relief.

Respectfully submitted,

FINNEGAN, CONRAD & PETERSON, L.C.

Jeremiah D. Finnegan Mo. Bar #18416 3100 Broadway, Suite 1209 Kansas City, Missouri 64111 (816) 753-1122 Facsimile (816)756-0373 Internet: jfinnegan@fcplaw.com

ATTORNEYS FOR CITY OF RIVERSIDE, MISSOURI

#### **CERTIFICATE OF SERVICE**

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

Office of the Public Counsel P. O. Box 7800 Jefferson City, MO 65102 Mr. W.R. England, Esq.Brydon, Swearengen & England, P.C.312 East Capitol AvenueP. O. Box 456Jefferson City, MO 65102-0456

Dated: June 13, 2003

Jeremiah D. Finnegah, an attorney for Intervenor

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