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November 4, 2002

FILED<sup>2</sup>  
NOV 07 2002  
Missouri Public  
Service Commission

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

Re: Environmental Utilities, LLC  
WA-2002-65

Dear Judge Roberts:

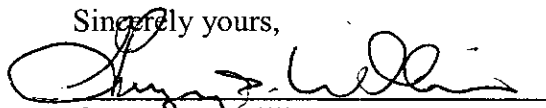
Please find enclosed for filing in the above referenced matter the original and 8 copies of the following pleading:

1. Applicant's Initial Brief Regarding Water Supply Agreement.

An additional copy of the same is also enclosed to be stamped "filed" and returned to me in the enclosed envelop. A copy has been mailed to all counsel of record.

If you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely yours,

  
Gregory D. Williams

cc: Keith Krueger  
Ruth O'Neill  
Tom Loraine

**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,     ) Case No. WA-2002-65  
control, manage and maintain a water system for the     )  
public located in unincorporated portions of Camden County,     )  
Missouri (Golden Glade Subdivision).     )

**APPLICANT'S INITIAL BRIEF  
REGARDING WATER SUPPLY AGREEMENT**

COMES NOW Environmental Utilities, LLC and pursuant to the Commission's Order herein  
submits the following for its Initial Brief regarding the Water Supply Agreement between  
Environmental Utilities, LLC and Osage Water Company.

**FACTUAL ISSUES**

The parties herein agreed at the Pre-Hearing Conference held herein on this issue on October 9,  
2002 that there are no factual issues regarding the Water Supply Agreement, as the document  
submitted is a contract, the terms of which speak for itself.

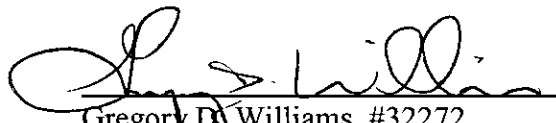
**LEGAL ISSUES**

Environmental Utilities, LLC has identified no legal issues pertaining to the Water Supply  
Agreement which would require a determination by this Commission. The document is a  
contract for the provision of water supply by Environmental Utilities, LLC to Osage Water  
Company at Environmental Utilities proposed tariff rate, so that Osage Water Company can  
supply water to retail customers within Eagle Woods Subdivision. The Commission ordered that  
Environmental Utilities enter into such a contract as a condition of obtaining a certificate of  
convenience and necessity rather than relying solely on the terms and conditions of its tariff,  
which by law constitutes a contract between the utility company and the State of Missouri, and it  
has done so.

## CONCLUSION

Environmental Utilities, LLC has complied with the conditions set forth by this Commission in its Report and Order for the granting of a certificate of convenience and necessity. The Commission should enter an Order finding that the company has satisfied its requirements, and holding that the certificate is in full force and effect.

WHEREFORE, Environmental Utilities, LLC prays for an Order of the Commission finding that the company has satisfied the conditions established by the Commission for the certificate of convenience and necessity to provide water utility service to Golden Glade Subdivision, and holding that said certificate is now in full force and effect, and for an award of its attorney's fees and expenses incurred in this matter.



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## CERTIFICATE OF SERVICE

I, Gregory D. Williams, do hereby certify that a true copy of the foregoing was on this 4<sup>th</sup> day of November, 2002, mailed, postage prepaid, to the following:

M. Ruth O'Neill  
Office of Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102

Keith Krueger  
General Counsel, Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102

Thomas E. Loraine  
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Osage Beach, MO 65065



Gregory D. Williams