

**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.)	

NOTICE OF INTENT NOT TO FILE A REPLY BRIEF

COMES NOW, the Office of the Public Counsel, and respectfully informs the Missouri Public Service Commission that it does not intend to file a reply brief in this matter for the following reasons. The Respondents did not file either an initial or a supplemental brief, and the Commission Staff and Public Counsel are in substantial agreement regarding the issues in dispute. Public Counsel notes that the only areas of disagreement in the initial briefs filed in this case relate to the meaning of the provision at Sec. 393.145.5 for "liquidating the assets" of the utility by the receiver. Public Counsel believes its interpretation of this statute to be correct.

WHEREFORE, Public Counsel respectfully requests that the Commission enter a Report and Order consistent with the previous briefs filed by Public Counsel in this case.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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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 29th day of August 2002:

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