

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

Office of the Public Counsel,)	
Complainant,)	
)	
v.)	
)	
Warren County Water and Sewer)	Case No. WC-2002-155
Company and Gary L. Smith,)	
Respondents.)	

NOTICE OF STATUS OF RESPONDENT COMPANY

COMES NOW, the Office of the Public Counsel, and respectfully informs the Missouri Public Service Commission that it has received the following information:

1. On September 3, 2002, Public Counsel received notification from Scott Andrews, a Probation Officer for the Federal District Court of the Eastern District of Missouri, that Gary L. Smith, one of the respondents in this case, had been determined to have violated the conditions of his felony probation. This determination was made in federal case number 4:01CR195. Public Counsel has since received this same information from additional, reliable sources.

2. Mr. Andrews further advised that Mr. Smith was scheduled for formal sentencing on October 3, 2002. Mr. Andrews further advised that, at that time, Mr. Smith's probation could be revoked, and he could be sentenced to prison.

This information is provided to the Commission as a courtesy, and because, if Mr. Smith is sentenced to incarceration, the company may be unable

or unwilling to provide safe and adequate service because the owner/manager will not be available to oversee the company operations.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: /s/ M. Ruth O'Neill
M. Ruth O'Neill (#49456)
Assistant Public Counsel
P O Box 7800
Jefferson City, MO 65102
(573) 751-1304
(573) 751-5562 FAX
roneill@ded.state.mo.us

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the following this 12th day of September 2002:

GENERAL COUNSEL

Missouri Public Service Commission
P O Box 360
Jefferson City MO 65102

PAUL S DEFORD

Lathrop & Gage
2345 Grand Boulevard Suite 2500
Kansas City MO 64108-2684

KURT SCHAEFER

Lathrop & Gage
326 East Capitol Avenue
Jefferson City MO 65101-3004

/s/ M. Ruth O'Neill