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April 6, 2001

Mr. Dale Hardy Roberts  
Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

**FILED<sup>2</sup>**  
APR 6 2001  
Missouri Public  
Service Commission

**RE: Foxfire Utility Company - Case No. WA-2001-53**

Dear Mr. Roberts:

Enclosed for filing in the above-referenced proceeding please find an original and eight copies of a Consent To, and Agreement With, Staff Recommendation. Please stamp the enclosed extra copy "filed" and return same to me.

If you have any questions concerning this matter, then please do not hesitate to contact me. Thank you very much for your attention to this matter.

Sincerely,

BRYDON, SWEARENGEN & ENGLAND P.C.

By:

  
Dean L. Cooper

DLC/rhg

Enclosures

cc: Office of the Public Counsel  
Cliff Snodgrass  
Ruth O'Neill

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>

APR 6 2001

Missouri Public  
Service Commission

In the Matter of the Application of )  
Foxfire Utility Company for a )  
certificate of convenience and necessity )  
authorizing it to construct, install, own, )  
operate, control, manage and maintain a )  
water system for the public in )  
an unincorporated area of Benton )  
County, Missouri. )

Case No. WA-2001-53

**CONSENT TO, AND AGREEMENT WITH,**  
**STAFF RECOMMENDATION**

COMES NOW Foxfire Utility Company ("Foxfire" or "Company"), and states to the Missouri Public Service Commission ("Commission") as follows:

1. On April 5, 2001, the Commission Staff ("Staff") filed its Recommendation wherein it recommended that the Commission approve the application filed by Foxfire, with certain conditions. The Staff additionally indicated that its recommendation was being filed in lieu of a proposed procedural schedule.

2. Foxfire hereby states that it is in agreement with the Staff Recommendation and therefore requests that the Commission issue its order approving its Application, with the conditions outlined in the Staff Recommendation, at its earliest convenience.

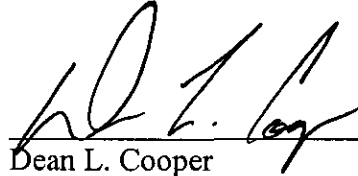
WHEREFORE, Foxfire Utility Company respectfully requests that based upon the Staff Recommendation the Commission issue its order:

(a) Granting Foxfire Utility Company permission, approval and a certificate of convenience and necessity authorizing it to construct, install, own, operate, control, manage and maintain a water system for the public in an unincorporated area of Benton County, Missouri, as is

more particularly described herein;

- (b) Granting such further relief as the Commission deems appropriate.

Respectfully submitted,



Dean L. Cooper #36593  
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ATTORNEYS FOR FOXFIRE  
UTILITY COMPANY

#### CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was either hand-delivered or mailed, U.S. Mail, postage prepaid, on April 6, 2001, to the following:

Mr. Cliff Snodgrass  
Public Service Commission  
Governor Office Building  
200 Madison Street  
Jefferson City, MO 65101

Ms. Ruth O'Neill  
Office of the Public Counsel  
Governor Office Building  
200 Madison Street  
Jefferson City, MO 65101

