

# LATHROP GAGE

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April 30, 2002

**HAND DELIVERY**

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

Re: **Office of the Public Counsel v Warren County Water and  
Sewer Company, Case No. WC-2002-155**

Dear Secretary Roberts:

Enclosed for substitution in the **original and eight (8) copies of Surrebuttal  
Testimony of Gary L. Smith** which was filed in your office on April 24, 2002, is the  
original of Mr. Smith's Affidavit. We had included in the original filing a facsimile of  
that his affidavit.

Thank you for your attention to this matter. If you have any questions, please  
contact me.

Very truly yours,

LATHROP & GAGE L.C.

By: 

Paul S. DeFord

Enclosures

cc: Ruth O'Neill  
Office of Public Counsel  
Office of General Counsel

11995.1

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BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

Office of the Public Counsel,  
Complainant,

v.

Warren County Water and Sewer  
Company and Gary L. Smith,  
Respondents.

Case No. SC-2002-155, et al.

AFFIDAVIT OF GARY L. SMITH

STATE OF MISSOURI )

) SS

COUNTY OF WARREN )

I, Gary L. Smith, of lawful age and being first duly sworn, deposes and states:

1. My name is Gary L. Smith. I am the sole shareholder of Warren County Water and Sewer Company.

2. Attached, hereto and made a part hereof for all purposes, is my surrebuttal testimony consisting of pages 1 through 5.

3. I hereby swear and affirm that my statements contained in the attached testimony are true and correct to the best of my knowledge.

ORIGINAL SIGNED BY GARY L. SMITH

Subscribed and sworn to me this 25 day of April, 2002.

Notary Public

My Commission Expires:

OCTOBER 14, 2003

FREIDA BARBER  
Notary Public - Notary Seal  
STATE OF MISSOURI  
Lincoln County  
My Commission Expires: Oct. 14, 2003