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December 7, 2001

FILED³

DEC 7 2001

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65101

Missouri Public
Service Commission

RE: Office of the Public Counsel v. Warren County Water
and Sewer Company and Gary L. Smith
Case Nos. SC-2002-160 and WC-2002-155

Dear Judge Roberts:


Enclosed for filing with the Commission is an original and eight (8) copies of the following:

**Answer in Case No. SC-2002-160; and
Answer in Case No. WC-2002-155**

Thank you for your attention to this matter.

Very truly yours,

LATHROP & GAGE L.C.

By: 
Paul S. DeFord

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Enclosures
cc: All Parties of Record

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1. Warren County admits the first sentence in numbered paragraph 1 of the Complaint. Warren County further admits that it is duly authorized and has provided service in portions of St. Charles and Lincoln Counties as well. Warren County further admits that it is conditionally certified to install a water storage tank which has not yet been installed. The remainder of the allegations of numbered paragraph 1 are denied.
2. Warren County admits the first two sentences of numbered paragraph 2 of Public Counsel's Complaint. Warren County denies the third sentence of numbered paragraph 2. The remainder of numbered paragraph 2 is hereby admitted.
3. Warren County admits the allegation in numbered paragraph 3.
4. Warren County is not obligated to admit or deny the allegations contained in numbered paragraph 4 of the Complaint.
5. Warren County is not obligated to admit or deny the allegations contained in numbered paragraph 5 of the Complaint.

6. Warren County is not obligated to admit or deny the allegations contained in numbered paragraph 6 of the Complaint.

7. Warren County is not obligated to admit or deny the allegations contained in numbered paragraph 7 of the Complaint. Warren County denies the final sentence of numbered paragraph 7.

8. Warren County denies the first sentence of numbered paragraph 8 of the Public Counsel's Complaint. Warren County admits the second, third, fourth, fifth, sixth and seventh sentences of the allegations set forth in paragraph 8 of the Complaint. Warren County denies the remainder of paragraph 8.

9. Warren County admits the allegations set forth in numbered paragraph 9 with the exception of the final sentence. Warren County denies the allegations of the final sentence of numbered paragraph 9.

10. Warren County admits that the Commission granted the Company's request to authorize the construction and installation of a water storage tank and that the tank has not yet been constructed or installed. Warren County further admits that it obtained a permit to construct the water storage tank and that such permit has since expired. Warren County denies the remainder of the allegations and characterizations of numbered paragraph 10.

11. Warren County admits that a complaint was initiated by David and Michele Turner who are residential customers of the company. Warren County denies the remainder of the allegations and characterizations of numbered paragraph 11 of the Complaint.

12. Warren County has insufficient information to either admit or deny the allegations of numbered paragraph 12 and therefore, denies them.

13. Warren County has insufficient information to either admit or deny the allegations of numbered paragraph 13 and therefore, denies them.

14. Warren County has insufficient information to admit or deny the allegations of the first sentence of paragraph 14 and therefore denies them. Warren County denies the remainder of the allegations of numbered paragraph 14.

15. Warren County has insufficient information to admit or deny the allegations set forth in numbered paragraph 15 of the Complaint and therefore, denies them.

16. Warren County has insufficient information to admit or deny the allegations of numbered paragraph 16 of the Complaint, and therefore, denies them.

17. Warren County has insufficient information to admit or deny the allegations of numbered paragraph 17 of the Complaint, and therefore, denies them.

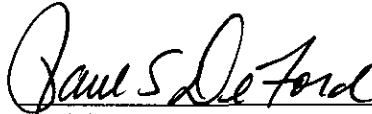
18. Warren County denies the allegations of numbered paragraph 18 of the Complaint.

19. Answering further, Warren County notes that the Office of Public Counsel's Complaint begins with three (3) unnumbered paragraphs containing various allegations and legal argument. Warren County is not obligated to admit or deny the allegations contained in those paragraphs or respond to the legal argument at this time

WHEREFORE, having fully answered, Warren County respectfully requests the Commission to dismiss the Office of Public Counsel's Complaint and for such other and further relief as the Commission deems necessary and just in the circumstances. In the alternative, if the Complaint proceeds, Warren County requests that the Commission set a prehearing conference for the purpose of addressing the establishment of a procedural schedule.

Respectfully submitted,

LATHROP & GAGE, L.C.



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ATTORNEYS FOR WARREN COUNTY WATER
AND SEWER COMPANY AND GARY L.
SMITH

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing document were served to the following by first class mail or hand-delivery on this 7th day of December, 2001:

Mr. Dan Joyce
Office of General Counsel
Missouri Public Service Commission
Governor Office Building
200 Madison Street
Jefferson City, Missouri 65101

M. Ruth O'Neill
Office of Public Counsel
Missouri Public Service Commission
Governor Office Building
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