

FILED

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

DEC 14 2000

In the Matter of the Application of )  
St. Louis County Water Company, )  
doing business as Missouri-American )  
Water Company, for Restatement )  
and Clarification of Its Certificate )  
of Convenience and Necessity for )  
St. Louis County, Missouri )

Missouri Public  
Service Commission

Case No. WA-2001-288

APPLICATION OF CITY OF ST. ANN TO INTERVENE

Comes now City of St. Ann and respectfully requests the Commission to grant it leave to intervene herein and, in support hereof, states:

1. Applicant for intervention, City of St. Ann, is a municipal corporation located within St. Louis County, Missouri. It has not granted a franchise to Company and is not listed in Exhibit G attached to Company's Application herein.

2. Company's application herein seeks a determination that it has a Certificate of Convenience and Necessity to provide retail water service to all areas of St. Louis County where it is "otherwise legally permitted to provide service consistent with its legal relationship with each respective incorporated municipality, and that such grant of authority does not restrict or limit [Company's] existing authority under its perpetual franchise from the St. Louis County Court."

3. Company, however, acknowledges that its "perpetual franchise" from the County Court of St. Louis County does not extend to streets within cities incorporated after February 17, 1902, which streets were opened and dedicated to public use subsequent to the incorporation of such cities.

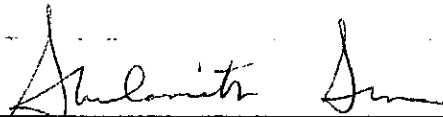
4. The City of St. Ann falls within the category described in paragraph 3. City maintains numerous public streets within its corporate limits.

5. To the extent that the relief requested by Company impacts the public streets of City, City has an interest herein and is entitled to be heard in order to protect its rights in said streets and to insure that City's regulations concerning use of said public rights-of-way are observed by Company.

6. There is nothing in Company's Application which specifically addresses the terms under which it seeks the right to utilize public rights-of-way in cities incorporated after February 17, 1902. Accordingly, the City of St. Ann is not certain whether it will oppose Company's Application.

7. For the foregoing reasons, City has an interest which is different from that of the general public and which may be adversely affected by a final order herein. Granting intervention herein shall serve the public interest of the residents and property owners within City.

WHEREFORE, City of St. Ann respectfully requests that it be granted leave to intervene and be heard herein.



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Attorneys for Applicant for Intervention,  
City of St. Ann

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served by mailing same, postage prepaid, to Attorneys of record for Company, Office of Public Counsel and to Dale Hardy Roberts, Secretary, Missouri Public Service Commission on December 12, 2000.

Shelagh Smith