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November 19, 2001

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

FILED³

NOV 19 2001

Missouri Public
Service Commission

Re: St. Louis County Water
Case No. WA-2001-288

Dear Mr. Roberts:

Enclosed for filing in the above-referenced case please find the original and eight copies of **NOTICE OF PUBLIC COUNSEL'S INTENT NOT TO FILE BRIEF**. Please "file" stamp the extra-enclosed copy and return it to this office.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. Ruth O'Neill".

M. Ruth O'Neill
Assistant Public Counsel

MRO:jb

cc: Counsel of Record

FILED³
NOV 19 2001

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

Missouri Public
Service Commission

In the Matter of the Application of St. Louis County)
Water Company, doing business as Missouri-American)
Water Company, for Restatement and Clarification of) Case No. WA-2001-288
Its Certificate of Convenience and Necessity for St. Louis)
County, Missouri.)

NOTICE OF PUBLIC COUNSEL'S INTENT NOT TO FILE BRIEF

COMES NOW, the Office of the Public Counsel, and hereby advises this Commission that it will not be filing a brief in the above captioned matter regarding the Commission's jurisdiction in this case. On October 24, 2001, this Commission issued an Order which stated:

"That St. Louis County Water Company, doing business as Missouri-American Water Company, shall, and the other parties herein may, within 30 days of the issue date of this order, file a brief or memorandum of law addressing the questions raised in this order and, in particular, stating the exact relief sought and the Commission's authority to grant that relief."

Public Counsel was a signatory to the "Unanimous Settlement Agreement" filed in this case. As such, Public Counsel believed, and continues to believe, that the Commission has the authority to act on the settlement agreement, pursuant to various provisions of Titles 386 and 393 of the Revised Statutes of Missouri. Public Counsel believes that the duty of the Commission to supervise the operations of water corporations, including, but not limited to the authority found at §386.250.3 and §393.140 encompasses the ability of the Commission to approve the settlement agreement proposed in this case.

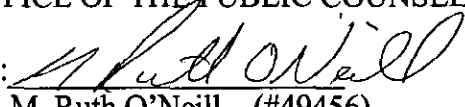
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WHEREFORE, Public Counsel urges the Commission to accept the "Unanimous Settlement Agreement" and to order the implementation of its terms as being in the public interest of the citizens of the State of Missouri.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By:


M. Ruth O'Neill (#49456)
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to the following this 19th day of November 2001:

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