

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

The Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-2015-0330</u>
)	
Fawn Lake Water Corp. and Rachel Hackman,)	
)	
)	
Respondents.)	

The Office of the Public Counsel, An agency of the State of Missouri,)	
)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-2015-0340</u>
)	
Fawn Lake Water Corp., Rachel Hackman, A Missouri water corporation,)	
)	
)	
Respondents.)	

**THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE TO
MOTION TO CONSOLIDATE**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response to Motion to Consolidate, states as follows:

1. On June 11, 2015, the Staff of the Missouri Public Service Commission (Staff) filed its *Complaint* against Fawn Lake Water Corp. and its owner and operator, Rachel Hackman, charging that these Respondents, without first obtaining authorization from the Missouri Public

Service Commission (Commission) as required by Section 393.170.2, RSMo., were providing water to the public for gain, using water plant that they owned, operated and controlled; and that the water thus provided was unsafe and inadequate, in violation of Section 393.130.1, RSMo.

2. On June 19, 2015, Public Counsel filed its *Complaint* against Fawn Lake Water Corp. and its owner and operator, Rachel Hackman, charging that these Respondents, without first obtaining authorization from this Commission as required by Section 393.170.2, RSMo., were providing water to the public for gain, using water plant that they owned, operated and controlled; and that the charges Respondents demanded were unjust and unreasonable because not tariffed and not approved by this Commission.

3. On June 29, 2015, Staff filed a Motion to Consolidate Staff's complaint and Public Counsel's complaint. In its Motion, Staff stated that although the two complaints are not entirely identical, they are largely identical and are based upon the same alleged behavior of the Respondents, the Respondents are identical and the relief sought is largely identical. Staff also noted that any trial of either of these complaints will necessarily implicate the other.

4. As Staff noted the counts and relief sought in Public Counsel's complaint are not entirely identical to those in Staff's complaint. Therefore, Public Counsel now states that it does not oppose Staff's Motion to Consolidate as long as all the counts and all relief sought by Public Counsel remains intact and as presented by Public Counsel in the consolidated case against Respondents.

WHEREFORE, Public Counsel submits its response to Staff's Motion to Consolidate.

Respectfully submitted,

THE OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 15th day of July, 2015:

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