

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

The Staff of the Missouri Public Service Commission,)
)

Complainant,)
)

v.) Case No. WC-2015-0330
)

Fawn Lake Water Corp. and Rachel Hackman,)
)

Respondents.)

The Office of the Public Counsel,)
An agency of the State of Missouri,)
)

Complainant,)
)

v.) Case No. WC-2015-0340
)

Fawn Lake Water Corp.,)
Rachel Hackman,)
A Missouri water corporation,)
)

Respondents.)

**THE OFFICE OF THE PUBLIC COUNSEL’S STATEMENT IN SUPPORT OF
MOTION FOR DEFAULT DETERMINATION**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Statement in Support of Motion for Default Determination, 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 September 2, 2015, Staff filed a Motion for Default Determination asking the Commission to (1) consolidate these two complaints for all purposes into Case No. WC-2015-0330; (2) deem the averments of both complaints admitted; and (3) enter an order granting default determinations against the Respondents; and grant such other and further relief as the Commission deems just in the premises.

4. Public Counsel supports Staff's Motion for Default Determination and joins Staff's motion for a default determination pursuant to Commission Rule 4 CSR 240-2.070(10).

5. As Staff notes nothing has occurred in either case since Public Counsel's response of July 15, 2015, stating that it does not oppose the consolidation of the two complaints 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 statement in support of Motion for Default Determination.

Respectfully submitted,

THE OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By: _____

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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 8th day of September, 2015:

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