

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

The Staff of the Missouri Public Service Commission,	)	
	)	
Complainant,	)	
	)	
vs.	)	<b><u>Case No. WC-2007-0394</u></b>
	)	
Central Jefferson County Utilities, Inc., et al.,	)	<b><u>Case No. SC-2007-0396</u></b>
	)	
Respondents.	)	

**STAFF’S MOTION FOR LEAVE TO FILE  
ITS RESPONSES TO RESPONDENTS’ MOTION TO DISMISS  
OUT-OF-TIME**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through the Commission’s General Counsel as authorized by §§ 386.071, 386.390.1, RSMo 2000, and Commission Rule 4 CSR 240-2.070(1), and for its Motion for Leave to File its Responses to Respondents’ Motion to Dismiss Out-of-Time, states as follows:

1. On February 8, 2007, the Commission granted the Application of Central Jefferson County Utilities, Inc. (“CJCU”) for authority to transfer its water and sewer system assets to Central Jefferson County Public Sewer District. *In the Matter of Central Jefferson County Utilities, Inc.*, Case No. SO-2007-0071 (*Report & Order*, issued February 8, 2007).
2. On April 13, 2007, Staff initiated these actions by filing its Complaints against CJCU as well as its affiliate, Raintree Plantation, Inc., and their common

owners, Norville McClain, Kenneth McClain, Jeremiah Nixon, and the Norville McClain Trust.

3. Respondents filed their Answers and Motions to Dismiss on May 21, 2007 (Raintree, Nixon and Kenneth McClain), and on June 4, 2007 (Norville McClain and the Norville McClain Trust).

4. Commission Rule 4 CSR 240-2.080(16) provides, "Parties shall be allowed not more than ten (10) days from the date of filing in which to respond to any pleading unless otherwise ordered by the commission."

5. Staff has not been able to respond to Respondents' Motions to Dismiss herein due to the press of other business.

6. Respondents have not been prejudiced by Staff's delay.

**WHEREFORE**, Staff prays that the Commission will permit it to file its Responses to Respondents' Motions to Dismiss out-of-time; and grant such other and further relief as is just in the premises.

Respectfully Submitted,

**/s/ KEVIN A. THOMPSON**

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Attorney for the Staff of the  
Missouri Public Service Commission

**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing was served, either electronically or by hand delivery or by First Class United States Mail, postage prepaid, on this **15<sup>th</sup> day of June, 2007**, on the parties of record as set out on the official Service List maintained by the Data Center of the Missouri Public Service Commission for this case.

s/ Kevin A. Thompson