

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

In the Matter of RDG Development, LLC)	
for a Certificate of Convenience and)	
Necessity Authorizing it to Own, Operate,)	File No. SA-2010-0096
Maintain, Control and Manage a Sewer)	
System in Callaway County, Missouri.)	

The Staff of the Missouri Public Service)	
Commission,)	
Complainant,)	
v.)	Case No. SC-2009-0304
Rodney Glenn Construction, Inc.; RDG)	
Development LLC; and Rodney Glenn, a)	
natural person)	
Respondent.)	

**NOTICE OF SATISFACTION OF CONDITIONS,
REQUEST FOR CLARIFICATION, AND WITHDRAWAL OF COMPLAINT**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through Counsel, and for its *Notice of Satisfaction of Conditions and Request for Clarification, and Withdrawal of Complaint* states:

1. On February 25, 2009, the Staff of the Missouri Public Service Commission filed a complaint with the Missouri Public Service Commission ("Commission") against Rodney Glenn Construction, Inc., RDG Development, LLC, and Rodney Glenn, a natural person. This case was docketed as Case No. SC-2009-0304.

2. On September 14, 2009, RDG Development, LLC, filed an *Application* with the Commission, seeking a Certificate of Convenience and Necessity to provide sewer service to the existing subdivision known as Greenwood Hills, located in Callaway County near Fulton, Missouri. This case was docketed as File No. SA-2010-0096.

3. On December 9, 2009, the Commission entered an Order granting a Certificate of Convenience and Necessity (“*Order*”) to RDG Development LLC for the provision of sewer service in the Greenwood Hills subdivision in File No. SA-2010-0096.

4. In Case No. SC-2009-0304, on December 15, 2009, the Commission entered an Order granting a Staff motion to stay the entering of an order of default pending the fulfillment of the provisions of the December 9, 2009 Order, or the passage of 90 days.

5. The Commission’s ordered paragraph 6 of the December 9, 2009, *Order* provided that, “RDG Development, L.L.C. shall satisfy the DNR requirement of retaining a certified operator within 90 days of the effective date of this order.”

6. The currently effective DNR permit does not require the retention of a certified operator. While Staff anticipates that DNR may require the retention of a certified operator when the facility permit next comes due for renewal, on August 28, 2013, DNR has no such requirement for the Greenwood Hills subdivision at this time.

7. Staff requests that the Commission enter an order clarifying that condition 6 has been satisfied as of March 18, 2010, 90 days after the effective date of the December 9, 2009 *Order*, in that there was no DNR requirement of retention of a certified operator at that time.

8. As of March 18, 2010, condition 7 had been satisfied.

9. Upon clarification that condition 6 of the December 9, 2009 *Order* in File No. SA-2010-0096, *supra*, has been satisfied; Staff withdraws its complaint, Case No. SC-2009-0304.

WHEREFORE, Staff requests that the Commission accept Staff’s notice of the satisfaction of condition 7, clarify the intent of condition 6 and find the satisfaction of condition

6, and there-upon accept Staff's request to withdraw its complaint relative to sewer service in Greenwood Hills subdivision.

Respectfully submitted,

/s/ Sarah Kliethermes

Sarah L. Kliethermes
Associate Counsel
Missouri Bar No. 60024

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-6726 (Telephone)
(573) 751-9285 (Fax)
sarah.kliethermes@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 24th day of March, 2010.

/s/ Sarah Kliethermes