

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

Cathy J. Orler,	)	
Complainant,	)	
	)	
v.	)	<u>Case No. WC-2006-0082, et al.</u>
	)	
Folsom Ridge, LLC, (Owning and Controlling	)	
the Big Island Homeowners' Association),	)	
Respondents.	)	
	)	
In the Matter of the Application of Folsom	)	
Ridge, LLC., and Big Island Homeowners'	)	
Water and Sewer Association, Inc., for an	)	
Order Authorizing the Transfer and Assignment)	)	<u>Case No. WO-2007-0277</u>
of Certain Water and Sewer Assets to Big	)	
Island Water Company and Big Island Sewer	)	
Company, and in Connection Therewith	)	
Certain Other Related Transactions	)	

**COMPLAINANT'S RESPONSES TO OBJECTIONS OF LATE-FILED HEARING**  
**EXHIBIT NO. 105 AS ORDERED BY THE COMMISSION**

COMES NOW, Cathy Orler, on her own behalf, to state the following to the  
Commission:

On April 04, 2007, the Commission issued an order, directing Cathy J. Orler to file with the Commission, any responses she wished to direct to the objections filed to the admission of hearing Exhibit number 105. Ms. Orler wishes to make the following clarifications regarding the document entered as Exhibit number 105.

1. On February 28, 2007, a Formal Evidentiary Hearing began in the above referenced cases. During the "opening remarks" segment of the proceedings, Ms. Orler was asked questions from the Commissioners. Commissioner Murray asked Ms. Orler, what it is she would like to see The Commission do? Ms. Orler referenced her rebuttal testimony filed in the "Application" case, (case no. WA-2006-0480), in this matter, and explained that the Complainants' requests for relief from the Commission, was for a regulated utility, with a receiver appointed to operate, manage, maintain, and administer service; Complainants were not asking that ownership of the utility be removed from Folsom Ridge – only the operational, management, and administrative responsibilities. Commissioner Murray stated that she would like to see a copy of this, and Commissioner Clayton stated that he would too. Commissioner Gaw made no response in this matter.
2. Later that same day, during break, Ms. Orler presented to Presiding Regulatory Law Judge, Harold Stearley, copies of her rebuttal testimony as requested by Commissioner Murray and Commissioner Clayton. Ms. Orler was instructed to present the copies again at the end of the proceedings.
3. After the hearing had adjourned, but while all parties were still in attendance, Ms. Orler as previously instructed, presented the requested copies of her rebuttal testimony to Judge Stearley. Ms. Orler would like to

clarify that she was not requesting to offer her rebuttal testimony from case number WA-2006-0480 into evidence; she was merely providing it at the requests of Commissioners Murray and Clayton.

4. By Order of the Commission, issued on March 5, 2007, Ms. Orler was ordered to file the copies of her rebuttal testimony that Commissioner Murray and Commissioner Clayton stated they would like to see, as late-filed Exhibit number 105. Ms. Orler complied with the Commission's Order.
5. On April 03, 2007, and April 04, 2007, Respondents and Staff, respectively, filed objections to Exhibit number 105.

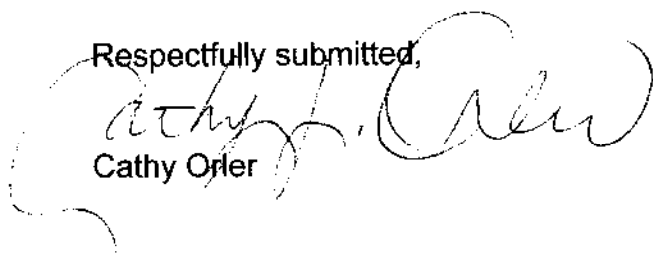
Ms. Orler's response to those objections are as follows:

1. Commissioner Murray and Commissioner Clayton, stated that they would like to see a copy of Ms. Orler's rebuttal testimony filed in the "Application" case number WA-2006-0480.
2. Ms. Orler obliged this request by providing copies of that document.
3. By Order of the Commission, issued on March 05, 2007, Ms. Orler was directed to file the copies of her rebuttal testimony as late-filed Exhibit number 105.
4. Ms. Orler complied with the Commission's Order.

5. Respondents and Staff are objecting to Ms. Orlor obliging the requests of Commissioners Murray and Clayton, by providing copies of her rebuttal testimony.
6. Respondents and Staff are objecting to Ms. Orlor complying with the Commission's Order, by filing this requested document as late-filed Exhibit number 105.
7. Hearing transcripts do not include Commissioner Murray asking to see a copy of the rebuttal testimony Ms. Orlor made reference to in her opening remarks; or Commissioner Clayton's statement, that "...he would too." In the event these remarks were made off the record, Ms. Orlor attempted to cross-reference the hearing transcripts with the hearing video tape, but a video tape of hearing proceedings for February 28, 2007, does not exist.

Whereas Ms. Orlor did provide a copy of her rebuttal testimony filed in case no. WA-2006-0480, at the request of Commissioner Murray and Commissioner Clayton. Ms. Orlor did file the requested copy of her rebuttal testimony, as late-filed Exhibit number 105 as Ordered by the Commission. Ms. Orlor obliged as requested; and complied as directed.

Respectfully submitted,

  
Cathy Orlor