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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	<u>Case No. SC-99-134</u>
vs.)	
)	
Imperial Utility Corporation,)	
)	
Respondent.)	

SECOND ORDER STAYING FILING OF PROCEDURAL SCHEDULE

On January 26, 1999, Imperial Utility Corporation (Imperial) filed a request for a stay for filing of the procedural schedule until March 29, 1999. Imperial was negotiating a sale of all or substantially all of its assets and it stated that if the sale closed, all the unpaid assessments due the Commission would be paid from the closing proceeds.

On February 4, 1999, the Staff of the Missouri Public Service Commission (Staff) filed a response to Imperial's request which did not oppose the request. On February 9, 1999, the Commission issued its order which stayed the filing of the procedural schedule until April 26, 1999.

On April 26, 1999, Staff filed a request to stay the filing of the procedural schedule until May 25, 1999. Staff stated that in Case No. SM-99-287, the Commission issued an order on April 22, 1999, authorizing the sale of Imperial's sewer assets to Rock Creek Public

Sewer District. The Commission conditioned the distribution of the proceeds to the owners of Imperial on the payment of House Springs Sewer Company's (House Springs) and Imperial's overdue Commission assessments. (Imperial and House Springs are owned and operated by the same people.) Staff states that the parties to the Imperial sale anticipate the closing of the sale "in a couple of weeks" and the assessment "will be paid within a couple of weeks thereafter."

Staff states that it anticipates the filing of a dismissal of the complaint after receiving payment for the assessments. The Staff and Imperial "anticipate that the assessment will be paid by May 25, 1999." Therefore, Staff requests another delay in the filing of a procedural schedule until that date.

The Commission finds that the parties are working for a resolution and will thus grant a second delay in the filing of a procedural schedule.

IT IS THEREFORE ORDERED:

1. That the parties shall be given until June 4, 1999, to file a procedural schedule.

2. That this order shall become effective on May 4, 1999.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, flowing style.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant
to 4 CSR 240-2.120(1) (November 30,
1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 4th day of May, 1999.

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION