

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

In the Matter of the Application of                    )  
Timber Creek Sewer Company, for                    )  
Permission, Approval, and a Certificate            )  
of Convenience and Necessity                    )  
Authorizing It to Construct, Install,                )  
Own, Operate, Control, Manage and                )  
Maintain a Sewer System for the                    )  
Public, Located in an Unincorporated              )  
Area in Platte County, Missouri                    )

Case No. SA-2010-0063

**MOTION FOR PREHEARING OR IN THE ALTERNATIVE EXTENSION OF TIME  
TO FILE STAFF RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and submits its *Motion for Prehearing or in the Alternative Extension of Time to File Staff Recommendation* as follows:

1. On August 20, 2009, Timber Creek Sewer Company (Applicant or Timber Creek) filed an *Application* with the Missouri Public Service Commission (Commission) seeking permission, approval, and a certificate of convenience and necessity authorizing Applicant to install, acquire, build, construct, own, operate, control, manage, maintain and extend a sewer system for the public within the Proposed Service area in Platte County, Missouri.

2. On August 24, 2009, the Commission filed *Notice of Application, and Order Setting Deadline for Intervention and Directing Staff to File Recommendation*. The deadline for invention was Sept 23, 2009. Staff was ordered to file a recommendation no later than October 7, 2009.

3. On September 4, 2009, the Commission filed a *Supplemental Notice of Application and Order Setting Deadline for Intervention*. This order extended the deadline for intervention until October 5, 2009.

4. On September 21, 2009, Platte County Regional Sewer District filed a motion to intervene noting the “area designated by Timber Creek in its Application is presently under the jurisdiction of the Platte County Regional Sewer District and the District opposes any further extension of the service area of Timber Creek into the Platte County Regional Sewer District’s jurisdiction area.” *Application to Intervene of Platte County Regional Sewer District*, ¶ 7.

5. If Platte County Regional Sewer District (PCRSd) is granted intervention, it appears PCRSd will present its substantive argument to as to why the application should be denied.

6. Since the intervention deadline is not until October 5, 2009, there still could be intervenor applications filed.

7. For efficiency, it may be best to schedule a prehearing conference to hear all parties concerns prior to Staff filing a recommendation, and order Staff to file a recommendation twenty (20) days after the prehearing conference.

8. If the Commission does not order a prehearing conference, Staff requests an extension to file its recommendation until November 2, 2009. This extension is necessary for Staff to investigate the known (and unknown) intervenor’s position, and include any discovered information in its recommendation.

9. Staff has contacted both Timber Creek and the Office of Public Counsel, who advise that both do not oppose Staff’s request for an extension to file its recommendation.

10. The Office of Public Counsel does not oppose Staff's request for a prehearing conference.

**WHEREFORE**, Staff respectfully request that the Commission order a prehearing conference and set the staff recommendation deadline twenty (20) days thereafter, or in the alternative extended the staff recommendation deadline until November 2, 2009.

Respectfully submitted,

/s/ Jaime N. Ott

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#### **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 1<sup>st</sup> day of October, 2009.

/s/ Jaime N. Ott