

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 Clay County, Missouri.)
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) **Case No. SA-2005-0297**
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ORDER DIRECTING FILING

Issue Date: December 7, 2005

Effective Date: December 7, 2005

In the Commission's September 29 Agenda, with regard to the approval of Mill Creek Sewers, Inc.'s tariff,¹ the Commission expressed its desire to be informed of whether a company seeking a certificate to provide sewer service will be in compliance with certain federally inspired regulations. The Commission notes that the Missouri Department of Natural Resources has Orders of Rulemakings,² published in the November 15, 2005, Missouri Register, to be effective on December 31, 2005. The Commission presumes these regulations codify the concerns discussed in the September 29 Agenda.

On November 22, 2005, the Staff of the Commission filed a Memorandum recommending that the Commission grant Timber Creek Sewer Company a certificate to provide sewer service. Staff memorandum does not, however, inform the Commission of whether the company will be in compliance with the above noted rules. The Commission will, therefore, require Staff to provide this information. Further, the Commission will require

¹ Case No. SR-2005-0116.

² 10 CSR 20-7.015 and 10 CSR 20-7.031.

Staff to state whether the company's proposed rates reflect the cost of complying with the anticipated regulations.

IT IS THEREFORE ORDERED:

1. That the Staff of the Commission shall file, no later than December 22, 2005, a pleading as described in the body of this order.
2. That this order shall become effective on December 7, 2005.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Kennard L. Jones, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 7th day of December, 2005.