

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

In the Matter of Mid MO Sanitation LLC’s)
Application for a Certificate of Convenience)
and Necessity Authorizing it to Own, Operate)
Maintain, Control and Manage a Sewer)
System in Callaway County, Missouri.)
File No. SA-2009-0319

OFFICE OF THE PUBLIC COUNSEL’S REQUEST FOR CLARIFICATION

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Request for Clarification states as follows:

1. On March 6, 2009, Mid MO Sanitation LLC (Mid MO) filed an Application with the Missouri Public Service Commission (Commission) seeking to obtain from the Commission a certificate of convenience and necessity to own, operate, maintain, control and manage a sewer system in Callaway County, Missouri.
2. On May 1, 2009, the Staff of the Public Service Commission (Staff) filed its recommendations in this case. On May 7, 2009, the Commission granted Public Counsel’s request for an extension of time to reply to Staff’s recommendations to May 26, 2009.
3. On May 21, 2009, a Unanimous Stipulation and Agreement was filed by the parties to this case.
4. On June 3, 2009, the Commission issued its Order Approving Stipulation and Agreement which made the following statement: “After reviewing the unanimous stipulation and agreement and the *undisputed facts described in Staff’s recommendation*, the Commission finds the stipulation and agreement to be reasonable.” [Emphasis added]

5. Public Counsel wishes to request clarification from the Commission as to exactly what facts described in Staff's recommendation the Commission has determined are undisputed.

6. Public Counsel joined in the unanimous stipulation and agreement as did Staff and Mid MO. If the unanimous stipulation and agreement had not been successfully negotiated between the parties, Public Counsel would have responded to Staff's recommendation in a timely manner and certainly would have disputed many of the "facts" that were contained therein. Also, the fact that the unanimous stipulation and agreement was signed by Staff infers that Staff's position changed from the statements made in its May 1, 2009 recommendation.

7. Without a listing of what facts the Commission has determined are undisputed, Public Counsel cannot determine exactly what the Commission's Order means when it refers to "the undisputed facts described in Staff's recommendation." Therefore, Public Counsel requests that the Commission clarify exactly what facts the Commission has determined are undisputed.

WHEREFORE, Public Counsel respectfully requests clarification as to exactly what facts described in Staff's recommendation the Commission has determined are undisputed.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By: _____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 4th day of June 2009:

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