

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of L.W. Sewer Corporation (Missouri), LLC, for Authority to Reorganize and Convert to a Nonprofit Sewer Company)))))	<u>Case No. SA-2007-0105</u>
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ORDER DIRECTING FILING

Issue Date: January 31, 2007

Effective Date: January 31, 2007

On September 20, 2006, L.W. Sewer Corporation (Missouri), LLC asked the Commission for authority to reorganize and convert to a nonprofit sewer company. In addition, L.W. Sewer Corporation asked that the Commission cancel its certificate of convenience and necessity.

On January 18, 2007, Staff filed its Supplemental Recommendation. Staff stated that it recommended that the Commission grant L.W. Sewer the requested relief but stated, among other things, that L.W. Sewer had not yet made its third quarterly payment of its FY2007 assessment, which was due on January 15, 2007. Also, Staff stated that one additional filing must be made with the Secretary of State for L.W. Sewer to accomplish its conversion. Finally, Staff stated that Section 4, Article II of L.W. Sewer's bylaws conflict with Section 393.839.5 RSMo, inasmuch as the bylaws mandate a shorter notice time of member meetings than provided in the statute.

Commission Rule 4 CSR 240-2.080(15) allows parties ten days to respond to pleadings. L.W. Sewer did not timely respond to Staff's January 18 pleading.

The Commission will order Staff to inform the Commission whether L.W. Sewer has made its third quarterly payment of its FY2007 assessment, and to inform the Commission of what remaining filing L.W. Sewer must make with the Secretary of State. The Commission will further order L.W. Sewer to state what remaining filing it must make with the Secretary of State, and when it intends to make it. Finally, the Commission will order L.W. Sewer to amend Section 4 of Article II of its bylaws to comport with Section 393.839.5 RSMo, and to file said amendment.

IT IS ORDERED THAT:

1. The Staff of the Commission and L.W. Sewer Corporation (Missouri) shall file pleadings as directed above or, in the alternative, inform the Commission when they plan to file those pleadings, no later than February 15, 2007.

2. This order shall become effective on January 31, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Ronald D. Pridgin, Senior Regulatory Law
Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 31st day of January, 2007.