

DAVID L. BAYLARD
P. DANIEL BILLINGTON
MICHAEL C. DEMPSEY
CHRISTOPHER W. JENSEN

ATTORNEYS AT LAW
**BAYLARD, BILLINGTON
& DEMPSEY, P.C.**

GORDON R. UPCHURCH
STEVEN L. KAMIENSKI

30 S. MCKINLEY • UNION, MISSOURI 63084
(636) 583-5103 • FAX (636) 583-1877
www.bbd-law.com

RECEIVED

OCT 25 2004

Adjudication Division
Public Service Commission

October 19, 2004

*Artha
Calk*

VIA FACSIMILE 573/751-1847
AND US POSTAL SERVICE

Missouri Public Service Commission
Attn: Mr. Dale Hardy Roberts
PO Box 360
Jefferson City MO 65102

FILED

OCT 26 2004

RE: Case No. SA-2004-0279

Missouri Public
Service Commission

Dear Mr. Roberts:

Enclosed please find the filing in response to the Commission's Order directing Calvey Brook Sewer, Inc. to file a Progress Report indicating current status and when Calvey Brook Sewer, Inc. intends to file the tariff required to implement the certificate of necessity and convenience previously granted by the Commission.

If you have any questions, please call.

Sincerely,

SLK

STEVEN L. KAMIENSKI
email: kamienski@bbd-law.com

SLK/cal
Enc.

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

**In the matter of the application of Calvey)
Brook Sewer Inc., a certificate of)
convenience and necessity authorizing it to)
construct, install, own, operate, control,) Case No. SA-2004-0279
manage, and maintain sanitary sewer system)
for the public, located in an unincorporated)
area of Franklin County, Missouri.)**

PROGRESS REPORT

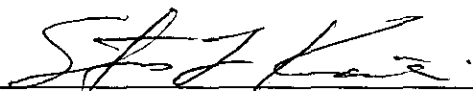
COMES NOW Calvey Brook Sewer, Inc. (hereinafter "Applicant"), in response to the Order Directing Filing of Progress Report Regarding Tariffs, effective on October 5, 2004, issued by the Missouri Public Service Commission (hereinafter "Commission") and states as follows:

1. Applicant has not yet completed the construction of the sewer and despite the completion of the water system the entire system (water and sewer) cannot be placed in operation pursuant to DNR rules and regulations.
2. Because the entire system cannot be placed in operation, no residential construction has begun in the Service Area meaning that no customers of Applicant exist at this point in time.
3. Applicant is in the process of preparing a complete tariff required to implement the certificate of convenience and necessity granted by the Commission on or about May 25, 2004 and expects that the tariff will be filed no later than November 15, 2004.

WHEREFORE, Applicant respectfully requests that the Commission accept the above explanation and the filing of the complete tariff on or before November 15, 2004

Respectfully submitted,

BAYLARD, BILLINGTON & DEMPSEY, P.C.

By: 

STEVEN L. KAMIENSKI - 48732
30 S MCKINLEY, UNION, MO 63084
TELEPHONE: 636-583-5103
FACSIMILE: 636-583-1877

ATTORNEY FOR CALVEY BROOK
SEWER, INC.