

**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)	<u>Case No. SA-2007-0105</u>
a Nonprofit Sewer Company)	

RESPONSE TO ORDER DIRECTING FILING

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its Response to Order Directing Filing, and respectfully submits as follows:

1. On January 18, 2007 (unless noted otherwise, all dates herein refer to the year 2007), the Staff filed its Supplemental Recommendation in this case.

2. On January 31, the Commission issued its **Order Directing Filing**, in which it directed the Staff and L.W. Sewer Corporation, LLC (LWS) to file certain pleadings regarding the final disposition of this case, as follow-ups to the Staff's filing of its Supplemental Recommendation.

3. On February 8, LWS filed its Compliance Filing Consistent with Order, in which it notified the Commission that it had made the third quarterly payment of its FY2007 assessment, and with which it included copies of the following documents: (a) the Articles of Conversion, Amendment and Acceptance (Articles) as filed with the Secretary of State on February 1; and (b) the Amended and Restated By-Laws (Amended By-Laws) of L.W. Sewer Company (the nonprofit sewer company), which corrected Article II, Section 4 of the previously submitted by-laws regarding meeting notices consistent with the provisions of Section 393.839.5, RSMo.

4. The Staff has verified that the Articles filed with the Secretary of State (SOS) on February 1 constitute the final SOS filing required of LWS with regard to this case.

5. The Staff has verified that the provisions of Article II, Section 4 of the Amended By-Laws of L.W. Sewer Company are now consistent with the provisions of Section 393.839.5, RSMo.

6. The Staff has verified that LWS made the third quarterly payment on its FY2007 assessment.

7. Attached hereto is an affidavit from Staff member Dale W. Johansen, Manager of the Commission's Water & Sewer Department, in which he verifies his participation in this case generally, and in the preparation of this Response to Order Directing Filing specifically.

WHEREFORE, based upon the above and its previous filings in this case, the Staff respectfully recommends that the Commission issue an order that: (a) grants LWS the authority to reorganize and convert to a nonprofit sewer company; (b) cancels LWS's tariff and certificate of convenience and necessity; and (c) closes this case.

Respectfully Submitted,

/s/ **Robert V. Franson**

Robert V. Franson
Senior Counsel
Missouri Bar No. 34643

Attorney for the Staff of the
Missouri Public Service Commission

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 13th day of February, 2007.

/s/ Robert V. Franson

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

AFFIDAVIT OF DALE W. JOHANSEN

STATE OF MISSOURI)

) SS

CASE NO. SA-2007-0105

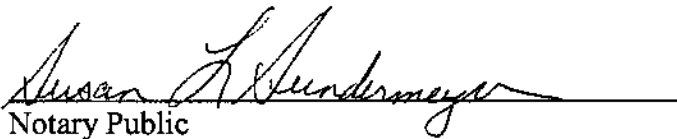
COUNTY OF COLE)

COMES NOW Dale W. Johansen, being of lawful age, and on his oath states: (1) that he is the Manager of the Missouri Public Service Commission's Water & Sewer Department; (2) that he participated in all phases of the Staff's investigation of the application that is the subject of the above-referenced case; (3) that he participated in the preparation of the foregoing Response to Order Directing Filing (Response); (4) that he has knowledge of the information presented in the Response; and (5) that the information presented in the Response is true and correct to the best of his knowledge, information and belief.



Dale W. Johansen – Manager
Water & Sewer Department
Utility Operations Division

Subscribed and sworn to before me this 13th day of February 2007.


Notary Public



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086

My Commission Expires: 9-21-10