

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,) **Case No. SA-2005-0467**
and maintain a sewer system for the public, located)
in an unincorporated area in Clay County, Missouri.)

ORDER DIRECTING FILING

Issue Date: September 19, 2005

Effective Date: September 19, 2005

On June 6, 2005, Timber Creek Sewer Company applied to the Commission for authority to construct, install, own, operate, control, manage, and maintain a sewer system in an unincorporated portion of Clay County, Missouri. Staff filed a Status Report on July 8. In that report, Staff stated that it would file its Recommendation no later than August 29.

Staff failed to file its Recommendation, or a pleading explaining its failure, by August 29. On September 1, the Commission ordered Staff to file a Recommendation no later than September 16. Also on September 1, Staff filed a Request for Extension of Time to File Recommendation.

In that pleading, Staff stated that it inadvertently overlooked the August 29 deadline. Also, Staff stated that the Missouri Department of Natural Resources is still reviewing Timber Creek's application for construction and operating permits. Staff stated that Timber Creek does not object to Staff's request that Staff file its Recommendation two weeks after DNR completes its review of Timber Creek's application.

Also, Staff stated that it will file a notice in this case upon being notified that DNR has published its public notice regarding Timber Creek's application. The Commission will order Staff to file monthly status reports regarding DNR's progress on Timber Creek's application.

IT IS THEREFORE ORDERED:

1. That the Staff of the Commission shall file its Recommendation or a Status Report no later than October 31, 2005, and shall continue to file a Status Report on the last working day of each month until it files its Recommendation.
2. That this order shall become effective on September 19, 2005.

BY THE COMMISSION



Cully M. Dale
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 19th day of September, 2005.