BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of)	
Timber Creek Sewer Company for a)	File No. SA-2010-0063
Certificate of Convenience and Necessity.)	

THE OFFICE OF THE PUBLIC COUNSEL'S RESPONSE

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

- 1. On April 8, 2010, the Missouri Public Service Commission (Commission) issued its *Order Suspending Schedule and Setting Deadline to Request Hearing* in which the Commission ordered Public Counsel to file any request for hearing in this case no later than April 15, 2010.
- 2. On November 19, 2009, Public Counsel informed Judge Jordan and the attorneys of record via email that Public Counsel was not active in this case. (See Attachment)
- 3. As Public Counsel previously stated, it is not active in this case and will not be requesting a hearing in this matter.

WHEREFORE, Public Counsel respectfully submits its Response.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

By: /s/ Christina L. Baker_

Christina L. Baker (#58303) Senior Public Counsel P O Box 2230 Jefferson City, MO 65102 (573) 751-5565 (573) 751-5562 FAX christina.baker@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 14th day of April 2010:

General Counsel Office Missouri Public Service Commission 200 Madison Street, Suite 800 P.O. Box 360 Jefferson City, MO 65102 GenCounsel@psc.mo.gov

Fischer M James Platte County Regional Sewer District 101 Madison Street, Suite 400 Jefferson City, MO 65101 jfischerpc@aol.com

Shaw H Robert Platte County Regional Sewer District P.O. Box 168 303 Marshall Road, Suite 1 Platte City, MO 64079 rhshaw@mcginness-shaw.com Ott Jaime Missouri Public Service Commission 200 Madison Street, Suite 800 P.O. Box 360 Jefferson City, MO 65102 jaime.ott@psc.mo.gov

Dority W Larry Platte County Regional Sewer District 101 Madison, Suite 400 Jefferson City, MO 65101 lwdority@sprintmail.com

Finnegan D Jeremiah Timber Creek Sewer Company 3100 Broadway, Suite 1209 Kansas City, MO 64111 jfinnegan@fcplaw.com

/s/ Christina L. Baker

Baker, Christina

From: Jordan, Daniel [daniel.jordan@psc.mo.gov]
Sent: Thursday, November 19, 2009 10:28 AM

To: Baker, Christina

Cc: Ott, Jaime; jfischerpc@aol.com; Dority, Larry; rhshaw@mcginness-shaw.com;

jfinnegan@fcplaw.com

Subject: RE: Timber Creek, SA-2010-0063

Counselor,

I appreciate your timely notice.

Daniel Jordan,

Regulatory Law Judge Missouri Public Service Commission

From: Baker, Christina [mailto:christina.baker@ded.mo.gov]

Sent: Thursday, November 19, 2009 9:42 AM

To: Jordan, Daniel

Cc: Ott, Jaime; jfischerpc@aol.com; Dority, Larry; rhshaw@mcginness-shaw.com; jfinnegan@fcplaw.com

Subject: Timber Creek, SA-2010-0063

Judge Jordan,

Public Counsel is not active in this case and therefore, will not make an appearance at the prehearing conference set for tomorrow.

If you have questions, please contact me.

Thank you,

Christina Baker, PE, JD Senior Public Counsel Office of the Public Counsel PO Box 2230 Jefferson City, MO 65102 573-751-5565 phone 573-751-5562 fax christina.baker@ded.mo.gov