

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

In the Matter of RDG Development, LLC for a)	
Certificate of Convenience and Necessity)	
Authorizing it to Own, Operate, Maintain,)	<u>Case No. SA-2010-0096</u>
Control and Manage a Sewer System in)	
Callaway County, Missouri.)	

**THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE
TO STAFF’S RECOMMENDATION**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response to Staff’s Recommendation states as follows:

1. On September 14, 2009, RDG Development, LLC (RDG) filed an Application with the Missouri Public Service Commission (Commission) for a certificate of convenience and necessity to own, operate, maintain, control and manage a sewer system in Callaway County, Missouri. The Application also requested a waiver of Commission Rule 4 CSR 240-3.305(1)(A)5 which required the filing of plans for the utility system with its Application.
2. On October 29, 2009, the Staff of the Public Service Commission (Staff) filed its Recommendation which recommended Commission issue an order that, among other items, approved a Certificate of Convenience and Necessity and required RDG to submit a complete tariff specifying a monthly rate of \$40.06 for residential customers.
3. On October 29, 2009, the Commission issued its Order Establishing a Deadline for Response, therein directing that any responses to the Staff Recommendation be filed by November 6, 2009.

4. Public Counsel now states that it objects to Staff's calculation and recommendation of a monthly rate of \$40.06 for residential customers.

WHEREFORE, Public Counsel respectfully submits its Response to Staff's Recommendation.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By:_____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 6th day of November 2009:

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