

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

GERALD & JOANNE REIERSON)	
Complainants)	
)	
vs.)	Case # SC-2005-0083
)	
KENNETH JAEGER & BLUE)	
LAGOON SEWER CORPORATION)	
Respondents)	

RESPONDENT’S REPLY TO PUBLIC COUNSEL’S OBJECTION TO RESPONDENT’S
MOTION FOR CONTINUANCE

COMES NOW, Respondents, by and through their attorney James F. Lemon, of LEMON and MORROW, LLC and moving for a continuance state as follows:

1. That Respondent filed a motion for continuance, May 9, 2007.
2. That the Office of Public Counsel filed an objection to that Motion May 14, 2007.
3. That in its’ objection, the office of Public Counsel stated that

“The primary issue in this complaint asks the Commission to determine whether Respondents are Subject to the jurisdiction of the Commission.”

4. That Despite this allegation, in its Statement of Position as to the issues which it previously filed in this matter, the Office of Public Counsel stated it sought at the scheduled hearing such remedies as requirements of upgrades to the system, transfer of the property to the Cannon Water Supply District, appointment of a receiver, and other remedies all of which conflict or potentially conflict with the order of the Circuit Court of Ralls County Missouri.

5. That the pending hearing will involve these issues, yet the office of Public Counsel has failed to address any of them in their objection to Respondent’s motion.

6. That while the Office of Public Counsel is correct that Complainants deserve to have

their complaints heard, such a right should not be taken in such a manner as to violate the due process and double jeopardy rights of Respondents.

7. That the issues raised in Respondent's motion for continuance are set for consideration at the June 26th (July) law day of the Ralls County Circuit court, which is a date certain.

8. That if Respondents are able to comply with the Ralls County Circuit Court's orders in regard to repairs and upgrades of the system, and transfer of the profit to the Cannon Water Supply District, that the determination of jurisdiction would therefore be moot.

Respectfully submitted,

LEMON AND MORROW, LLC

/James F. Lemon/

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ATTORNEY FOR RESPONDENT

CERTIFICATE OF SERVICE

I, James F. Lemon, attorney for the Defendant, do hereby certify that a true copy of the above and foregoing MOTION was served upon all parties of record via email, mail or hand delivery this 14TH day of April, 2007.

/James F. Lemon/

James F. Lemon