

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
May 4, 1999**

CASE NO: SC-99-135

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Missouri Public Service Commission
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Mark S. Rubin
231 S. Bemiston, Suite 1111
Clayton, MO 63105

Enclosed find certified copy of ORDER in the above-numbered case(s).

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copy:

Eugene A. Fribis
House Springs Sewer Company
3800 Jeffco Blvd.
Arnold, MO 63010

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

Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	
v.)	<u>Case No. SC-99-135</u>
)	
House Springs Sewer Company,)	
)	
Respondent.)	

SECOND ORDER STAYING FILING OF PROCEDURAL SCHEDULE

On January 26, 1999, House Springs Sewer Company (House Springs) filed a request for a stay for filing of the procedural schedule until April 26, 1999. House Springs was negotiating a sale of all or substantially all of its assets and it stated that if the sale closed, all the unpaid assessments due the Commission would be paid from the closing proceeds.

On February 4, 1999, the Staff of the Missouri Public Service Commission (Staff) filed a response to House Springs' request which did not oppose the request. On February 9, 1999, the Commission issued its order which stayed the filing of the procedural schedule until April 26, 1999.

On April 26, 1999, Staff filed a request to stay the filing of the procedural schedule until May 10, 1999. Staff stated that in Case No. SM-99-287, the Commission issued an order on April 22, 1999,

authorizing the sale of Imperial Utility Corporation's (Imperial) sewer assets to Rock Creek Public Sewer District. (Imperial and House Springs are owned and operated by the same people.) The Commission conditioned the distribution of the proceeds to the owners of Imperial on the payment of House Springs' and Imperial's overdue Commission assessments. Staff states that the parties to the Imperial sale anticipate the closing of the sale shortly but the final distribution of the proceeds is not anticipated in the near future.

Staff states that the Staff and House Springs "have reached an agreement in principle . . . [providing for] the payment of the assessments upon the sale of House Springs or distribution of the proceeds from the sale of Imperial, whichever comes first." Staff further states that the parties anticipate filing the agreement prior to May 10, 1999. Therefore, Staff requests another delay in the filing of a procedural schedule until that date.

The Commission finds that the parties are working for a resolution and will thus grant a second delay in the filing of a procedural schedule.

IT IS THEREFORE ORDERED:

1. That the parties shall be given until June 4, 1999, to file a procedural schedule.

2. That this order shall become effective on May 4, 1999.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Bill Hopkins, Senior Regulatory Law Judge,
by delegation of authority pursuant
to 4 CSR 240-2.120(1) (November 30,
1995) and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 4th day of May, 1999.

Atty/Sec'y: Hopkins / Boyce

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Date Circulated

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Return by 3-p.m.

10 a.m.

CASE NO. SC-99-135

[Signature]
Lumpke, Chair

[Signature]
Crumpton, Commissioner

[Signature]
Murray, Commissioner

[Signature]
Schemenauer, Commissioner

[Signature]
Drainer, Vice-Chair

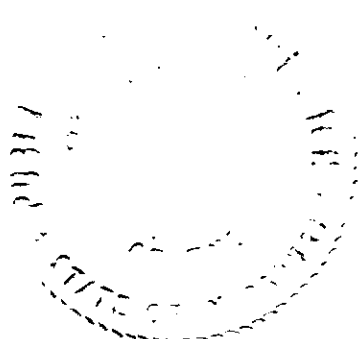
**STATE OF MISSOURI
OFFICE OF THE PUBLIC SERVICE COMMISSION**

I have compared the preceding copy with the original on file in this office and

I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson
City,

Missouri, this 4TH day of MAY, 1999.



Dale Hardy Roberts

Dale Hardy Roberts

Secretary/Chief Regulatory Law Judge