

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Transfer of Assets of)
Hillcrest Utilities Company from Blomeyer)
Investments, Inc. to Brandco Investments, LLC) **Case No. SM-2007-0262**

ORDER DIRECTING FILING AND GRANTING STAFF’S THIRD
REQUEST FOR EXTENSION OF TIME TO FILE RECOMMENDATION

Issue Date: June 4, 2007

Effective Date: June 4, 2007

On January 5, 2007,¹ Blomeyer Investments, Inc. (“Blomeyer”; f/k/a M & W Development Co.) filed an application with the Missouri Public Service Commission for authority to transfer the sewer utility assets of Hillcrest Utilities Company (“Hillcrest”) from Blomeyer to Brandco Investments, LLC (“Brandco”).

After Blomeyer remedied certain deficiencies in its original application by supplying additional required information, the Commission joined Hillcrest and Brandco as parties, issued notice, and established March 21 as the deadline for submission of requests to intervene. No one asked to intervene.

On March 23, the Commission directed its Staff to file a recommendation on Blomeyer’s application by no later than April 23. On April 20, Staff filed a Motion for Extension of Time, which stated that due to the press of other Commission business directly involving the Staff members working on this case, Staff did not have an adequate

¹ All dates specified in this order refer to the calendar year 2007.

amount of time to file the report before the deadline set in the Commission's order of March 23. On April 24, the Commission granted Staff an extension of time until May 9.

On May 9, Staff filed a second Motion for Extension of Time, which stated that Staff would be unable to file its recommendation on time because it still lacked certain information from Hillcrest related to the net book value of its assets. Staff also averred that it expected to receive the missing information in time for it to be able to file its recommendation by May 31. On May 10, the Commission granted Staff a second extension of time until May 31.

On May 31, Staff filed a third Motion for Extension of Time, which stated that Staff was unable to file its recommendation on time since Blomeyer's application did not clearly state whether, should the application be granted, Brandco would be operating the sewer system it acquired under that name or some other name. Staff further advised that it would be able to file its recommendation within ten days after it received this information, and requested a third and final extension of time in accordance with that timetable. To facilitate this process, Staff also asked that the Commission issue an order directing Brandco to make a filing identifying the corporate entity that will own the sewer utility assets in question and hold the certificate of convenience and necessity should Blomeyer's application be approved.

The Commission finds Staff's third Motion for Extension of Time, which is authorized by Commission Rule 4 CSR 240-2.050(3)(A), to be reasonable under the circumstances and shall grant it. As to Staff's related motion for an order directing filing, the Commission notes late in the afternoon on June 1, the Commission received a fax from Brandco which includes a June 1 affidavit executed by Bobby Brandon containing the information needed

by Staff. Although Brandco also provided this information to all parties in this case either by fax or by mail, it has not yet been filed in EFIS as requested by Staff. Therefore, Brandco will be directed to promptly file the affidavit in EFIS.

IT IS ORDERED THAT:

1. Staff's third Motion for Extension of Time is granted. Staff shall file its recommendation in this matter by no later than June 11, 2007.
2. Staff's Motion for Order Directing Filing is granted. Brandco Investments, LLC shall file the June 1 affidavit of Bobby Brandon via EFIS by no later than June 6, 2007.
3. This order shall become effective on June 4, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Benjamin H. Lane, Regulatory Law
Judge, by delegation of authority
under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 4th day of June, 2007.