

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

In the matter of the application of Timber Creek)
Sewer Company, for permission, approval, and)
a certificate of convenience and necessity)
authorizing it to construct, install, own, operate,)
control, manage, and maintain a sewer system)
for the public located in an unincorporated area)
in Clay County, Missouri.)

Case No. SA-2005-0297

**STAFF'S SECOND REQUEST FOR EXTENSION
OF TIME TO FILE RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through Counsel, and for its *Second Request for Extension of Time to File Recommendation* states the following to the Missouri Public Service Commission (Commission).

1. On March 9, 2005¹, Timber Creek Sewer Company (Company) filed its Application for a Certificate of Convenience and Necessity to provide sewer service to an unincorporated area in Clay County, Missouri.

2. On April 25, the Staff filed a *Status Report*, in which it stated that it planned to file its recommendation in this case by May 31, 2005.

3. On May 27, the Staff requested that the time for filing the Staff Recommendation be extended by 30 days, to June 30, 2005. The Commission granted that request in an Order that it issued on May 31.

4. The Staff is not able to file its recommendation by June 30, as planned, because of some remaining issues regarding the Company's recent application to the Missouri Department

¹ Unless noted otherwise, all dates herein refer to the year 2005.

of Natural Resource (DNR) for construction and operating permits for the facilities that will be needed to provide service in the requested area.

5. On June 29, Willis Sherry, president of the Company, told Martin Hummel of the Commission's Water & Sewer Department that the Company had recently submitted responses to the DNR regarding the remaining permit issues, and that the Company expects its responses to resolve those issues.

6. There are no customers awaiting service in the area that the Company proposes to serve, and the Staff has been informed that no homes will be constructed in the proposed service territory until the fall of this year, at the earliest.

7. Based on the above, the Staff believes that an additional extension of time for filing its recommendation is reasonable and requests that an extension to August 1 be granted for that filing.

8. Rule 4 CSR 240-2.050 (3) (A) provides that when an act is required to be done by order of the Commission within a specified time, the Commission, at its discretion, may order the period enlarged before the expiration of the period originally prescribed or as extended by a previous order.

WHEREFORE, the Staff respectfully requests that the time for filing the Staff Recommendation in this case be extended to August 1, 2005.

Respectfully Submitted,

DANA K. JOYCE
General Counsel

/s/ Keith R. Krueger

Keith R. Krueger
Deputy General Counsel
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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel and/or parties of record this 30th day of June 2005.

/s/ Keith R. Krueger