

**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 Platte)
County, Missouri)

Case No. SA-2010-0063

STAFF'S RESPONSE

COMES NOW the Staff (Staff) of the Missouri Public Service Commission (Commission), by and through counsel, and respectfully submits this *Staff Response* to Regulatory Law Judge (RLJ) Daniel Jordan's directive on November 20, 2009, stating the following:

1. On August 20, 2009, Timber Creek Sewer Company (Applicant or Timber Creek) filed an *Application* with the Commission seeking permission, approval, and a certificate of convenience and necessity authorizing Applicant to install, acquire, build, construct, own, operate, control, manage, maintain and extend a sewer system for the public within the Proposed Service area in Platte County, Missouri.

2. On September 21, 2009, Platte County Regional Sewer District (PCRSD) filed a motion to intervene. On October 5, 2009, the Commission granted PCRSD intervention.

3. On November 20, 2009, Applicant, PCRSD, and Staff (collectively the "Parties") convened for a prehearing conference. The RLJ Jordan, ordered Staff to file a pleading by November 23, 2009 stating whether parties anticipated the need for an evidentiary hearing.

4. During discussions, the parties determined that there is a need for an evidentiary hearing. Parties request that such hearing be scheduled to accommodate for time for additional discovery, and the preparation and filing of pre-filed testimony.

WHEREFORE, Staff respectfully notifies the Commission that the Parties agree that an evidentiary hearing is needed.

Respectfully Submitted,

/s/ Jaime N. Ott

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Recommendation has been provided, either by first-class mail, by electronic mail, by facsimile transmission or by hand-delivery, to each attorney and/or party of record for this case on this 20th day of November 2009.

/s/ Jaime N. Ott