

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

Robert M. Hellebusch,)	
)	
Complainant,)	
)	
v.)	
)	<u>Case No. SC-2005-0099</u>
Kenneth Jaeger and)	
Blue Lagoon Sewer Corp.,)	
)	
Respondents.)	

RESPONSE TO COMMISSION ORDER

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, files its Response to Commission Order and states:

1. The Attorney General’s office, as counsel for the Missouri Department of Natural Resources (DNR), has requested that it not be added as a party to this case.
2. However, the Attorney General has offered to appear and to answer any questions the Commission may have about its Lost Valley Circuit Court litigation which involves this company.
3. Staff appreciates the fact that the Attorney General is willing to appear and when this matter is set for hearing, Staff plans to ask that the Attorney General appear.
4. Additionally, the Staff plans to make arrangements with the Attorney General to provide a DNR witness, who is familiar with the circumstances of this case, to appear at any hearing before the Commission. The Staff has spoken to one person from the DNR Staff who is likely to be a witness. Issues with respect to DNR that may be addressed include:

- a. Compliance issues pertaining to the subject sewage treatment and collection system that have been raised by the Missouri Department of Natural Resources (“DNR”) and the Missouri Attorney General's Office (“AGO”);
- b. The status of the Respondents' efforts to address the compliance issues raised by the AGO and the DNR;

WHEREFORE, the Staff respectfully submits this Response to the Commission’s March 29, 2006 Order Directing Filing.

Respectfully Submitted,

/s/ Lera Shemwell

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Senior Counsel
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Missouri Public Service Commission

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CERTIFICATE OF SERVICE

I hereby certify that copies of this Motion have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel of record this 28th day of April 2006.

/s/ Lera Shemwell