

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of KMB Utility)
Corporation to Transfer the Assets of Cape Rock)
Village Sewer System to Triple C Development,)
LLC)

Case No. SO-2009-0174

ORDER RELIEVING PUBLIC COUNSEL OF THE OBLIGATION TO FILE A RECOMMENDATION BY PREVIOUSLY ESTABLISHED DATE

Issue Date: December 9, 2008

Effective Date: December 9, 2008

On November 17, 2008, KMB Utility Corporation and Triple C Development, LLC, filed a joint application asking the Commission to approve the transfer of the assets of Cape Rock Village Sewer System from KMB Utility to Triple C. Along with their application, KMB Utility and Triple C filed a motion asking the Commission to act on their application by December 15, so that the proposed transaction could be closed by December 31.

In response to the joint application and the motion for expedited treatment, the Commission provided notice to the public of the filing of the application, established an intervention deadline of December 5, and directed its Staff to file a recommendation regarding the application by December 9. That order also required that any other party wishing to file a recommendation do so by December 9.

On December 8, Staff filed a motion indicating its need to obtain more information from the applicants and requesting more time to file its recommendation. The Commission granted that motion and directed Staff to file a progress report by December 29.

The Commission's order granting Staff more time to file its recommendation made no mention of other parties who might wish to file a recommendation. On December 9, the

Office of the Public Counsel, the only other party, filed a motion indicating that it also needs an extension of time to file its recommendation.

The Commission will relieve Public Counsel of its obligation to file its recommendation by December 9. The Commission will establish a new specific date for the filing of that recommendation in a subsequent order, after the applicants provide the additional information sought by Staff.

THE COMMISSION ORDERS THAT:

1. The Office of the Public Counsel is relieved of its obligation to file a recommendation by December 9, 2008.
2. This order shall become effective immediately upon issuance.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 9th day of December, 2008.