

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Kenneth Jaeger and
Blue Lagoon Sewer Corp.

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)

Case No. SO-2008-0358

ORDER DIRECTING RESPONSE
TO MOTION FOR APPOINTMENT OF A RECEIVER

Kenneth Jaeger
27948 Ted Hunt Rd., Unit 2
Los Fresnos, Texas 78566
CERTIFIED MAIL

Issue Date: May 5, 2008

Effective Date: May 5, 2008

On May 1, 2008, the Office of the Public Counsel filed a motion asking the Commission to direct its Staff to file a petition in circuit court seeking appointment of a permanent receiver to take control of the assets of the Blue Lagoon Sewer System¹ and to place that utility under the control and responsibility of the receiver. Furthermore, Public Counsel asks the Commission to appoint an interim receiver to take control of the sewer system while the petition for appointment of a permanent receiver is pending in circuit court.

The Commission is concerned about the situation described in Public Counsel's motion and wishes to hear that motion as soon as possible. Therefore, the Commission will order Mr. Jaeger to respond to Public Counsel's motion no later than May 27.

¹ Public Counsel alleges Blue Lagoon is an uncertificated sewer utility owned by Kenneth Jaeger.

Public Counsel's motion indicates Mr. Jaeger has filed a bankruptcy petition in the United States Bankruptcy Court for the Southern District of Texas. The Commission does not wish to run afoul of the automatic stay provisions of the United States Bankruptcy Code, so it will order Public Counsel and its Staff to file pleadings no later than May 27 explaining how the automatic stay may affect the Commission's actions regarding Public Counsel's motion.

IT IS ORDERED THAT:

1. Kenneth Jaeger shall file his response to the Office of the Public Counsel's Motion for Appointment of an Interim Receiver and Order to General Counsel to Petition the Circuit Court for the Appointment of a Receiver no later than May 27, 2008.
2. The Office of the Public Counsel and Staff shall file pleadings no later than May 27, 2008, explaining how the automatic stay provisions of the United States Bankruptcy Code may affect the Commission's actions regarding Public Counsel's motion.
3. This order shall become effective on May 5, 2008.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 5th day of May, 2008.