

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

In the Matter of the Petition for an Interim Receiver)	
and for an Order Directing the General Counsel)	<u>Case No. SO-2010-0237</u>
To Petition the Circuit Court for the Appointment)	
of a Receiver for Mill Creek Sewers, Inc.)	

MOTION TO ALLOW APPEARANCE BY TELEPHONE

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned counsel, and moves for the Missouri Public Service Commission (“Commission”) to allow Jason Williamson, the interim receiver recommended by the Staff in its February 11, 2010 petition, to appear by telephone during the evidentiary hearing set for February 25, 2010, at 1:00 p.m. CST. For its *Motion*, the Staff respectfully states the following:

1. On February 11, 2010, the Staff filed its *Petition For An Interim Receiver And For An Order Directing The General Counsel To Petition The Circuit Court For The Appointment Of A Receiver For Mill Creek Sewers, Inc., And Motion For Expedited Treatment* (“*Petition*”) in this case. The Staff’s *Petition* alleged that Mill Creek Sewers, Inc., (“Mill Creek”) and Mr. Charles L. Stroud, President and owner of Mill Creek, have effectively abandoned the sewer system and Mr. Stroud is unwilling and/or unable to operate the system, which jeopardizes the provision of safe and adequate service.

2. Additionally, the Staff’s *Petition* recommended that the Commission appoint Jason Williamson, President of Heartland Utilities, LLC, as an interim receiver to control and be responsible for Mill Creek at a monthly fee of \$800.00, until the Commission’s resolution of the *Petition* and a circuit court determination in any petition made by the General Counsel’s Office for this matter.

3. On February 16, 2010, the Commission set an evidentiary hearing for the Staff's *Petition* on February 25, 2010, at 1:00 p.m. CST.

4. As Mr. Williamson's office is located in Denver, Colorado, an in-person appearance presents an undue hardship based on the fact that he is not a material witness for the *Petition's* allegations of abandonment, unwillingness and/or inability to operate the system, or the threat to safe and adequate service, and the Staff intends to only question Mr. Williamson with regards to his background and ability to serve as an interim receiver, as addressed in the Staff's *Petition*.

WHEREFORE, the Counsel for the Staff requests that the Commission enter an order that allows Mr. Williamson's appearance by telephone and any other party or witness it deems appropriate.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez

Legal Counsel

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all attorneys and/or parties of record this 22nd day of February 2010.

/s/ Jennifer Hernandez