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CC

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of)
George Hoesch for a Certificate of)
Convenience and Necessity Authorizing)
Him to Construct, Install, Own,)
Operate and Maintain a Sewer System)
for the Public, Located in an Unincor-)
porated Area of the County of)
Gasconade, Missouri.)

CASE NO. SA-97-357

ORDER TO RESPOND TO DATA REQUESTS

George Hoesch (Applicant) filed an application with the Commission on March 3, 1997, requesting issuance of a certificate of convenience and necessity to construct, own, operate and maintain a sewer system for the public in an unincorporated area of Gasconade County. The Commission granted intervention to Gascony Association, Inc. on May 16 and approved the parties' proposed procedural schedule on June 6.

The Staff of the Commission (Staff) filed a Motion to Compel Responses to Data Requests on July 16. Staff indicated that Applicant failed to respond to Staff's Data Request Nos. 1 through 11 within the twenty-day time limit of 4 CSR 240-2.090(2). The data requests seek information pertaining to the sewer operation, employees, contract labor, maintenance and repair costs, company vehicles, insurance, outside service labor, customers, sales contract information, lot price information and income tax information. According to Staff, the requested information is necessary for Staff to make a recommendation as to whether the Commission should accept or reject the Applicant's request for a certificate of convenience and necessity. Staff stated that Applicant should provide answers to Staff's Data Request Nos. 1 through 11 by July 23 so that the

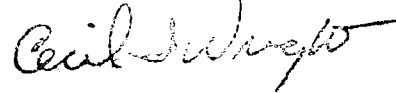
current procedural schedule may be maintained. Applicant did not file a response to Staff's motion.

The Commission has reviewed the motion filed by Staff. The Commission finds that Applicant should be ordered to provide answers to Staff's Data Request Nos. 1 through 11. Although the current procedural schedule may not be maintained due to Applicant's delay in responding to the data requests, Applicant should provide its answers on or before August 11 to avoid sanctions which may include dismissal.

IT IS THEREFORE ORDERED:

1. That George Hoesch shall provide answers to Staff's Data Request Nos. 1 through 11 on or before August 11, 1997.
2. That this order shall become effective on August 4, 1997.

BY THE COMMISSION



**Cecil I. Wright
Executive Secretary**

(S E A L)

Gregory T. George, Administrative
Law Judge, by delegation of authority
pursuant to 4 CSR 240-2.120(1),
(November 30, 1995) and Section 386.240,
RSMo 1994.

Dated at Jefferson City, Missouri,
on this 4th day of August, 1997.