

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

In the Matter of the Small Company Rate     )  
Increase Request of Mill Creek Sewers, Inc.     )     Case No. SR-2005-0116

**STATUS REPORT**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), by and through Counsel, and for its Status Report states the following to the Missouri Public Service Commission (Commission).

**PROCEDURAL HISTORY**

1. On March 23, 2005 (unless noted otherwise all dates herein refer to the year 2005), the Commission issued an **Order Directing Filing** (March 23 Order), in which it directed the Staff to file two status reports regarding the potential transfer of the sewer collection and treatment system owned by Mill Creek Sewers, Inc. (Mill Creek) to the St. Louis Metropolitan Sewer District (MSD), with those reports to be filed on March 25 and April 1.

2. The Staff filed the two status reports required by the Commission's March 23 Order on March 25 and April 1, respectively.

3. As a part of its April 1 status report, the Staff stated that it would continue to file weekly status reports in this case. Consistent with that commitment, the Staff filed its third, fourth and fifth weekly status reports on April 8, April 15 and April 25, respectively.

4. As a part of its April 25 status report, the Staff stated that it would continue to file weekly status reports, or would advise the Commission that additional information is not available and that a status report would thus not be filed for a given week. Consistent with that commitment, the Staff filed its sixth and seventh status reports on April 29 and May 6,

respectively, its Notice Regarding Status Report on May 13, its eighth and ninth status reports on May 20 and May 27, respectively, a Notice Regarding Status Report on June 3 and its tenth status report on June 10.

#### **STATUS UPDATES**

5. Regarding the status of the potential transfer of Mill Creek's sewage treatment and collection system to the MSD, the Staff offers the following information. Due to illness and the press of other Commission business, Staff member Dale Johansen was not able to send an e-mail message to the Staff's contact person for the MSD for this matter, Mr. Paul DeFord, as soon as originally planned. Mr. Johansen did, however, send a message to Mr. DeFord today (June 17). In that message, Mr. Johansen requested that MSD provide a list of actions that it still needs to take before it can decide whether to take over Mill Creek's system, and asked for a timetable under which the MSD will complete that decision-making process. Mr. Johansen also asked whether the MSD has encountered any problems in obtaining information from Mill Creek or in gaining access to the treatment plant for inspection purposes. (If MSD identifies any such problems, Mr. Johansen will then contact the owner of Mill Creek to ensure that the problems are promptly resolved.) Lastly, Mr. Johansen asked whether the MSD would like to participate in a planned joint PSC/DNR inspection of Mill Creek's system.

6. Regarding the planned joint PSC/DNR inspection of Mill Creek's system, the Staff notes that this inspection has not yet been conducted, but that it hopes to conduct it in the week of either June 20 or June 27.

7. Regarding the status of the operation of Mill Creek's sewage treatment plant, the Staff notes that it has not visited the plant since June 9 (a report of that visit was provided in the

Staff's June 10 status report). Also, the Staff has not obtained any additional information regarding effluent samples that were reportedly recently taken from the plant.

8. Regarding the actions taken by Mill Creek to improve the operation of its sewage treatment plant, the Staff wishes to advise the Commission of the following expenditures that Mill Creek has incurred since January 1: (a) sludge hauling expenses of approximately \$6,390; (b) electrical work expenses of approximately \$135; and (c) effluent testing fees of \$205. Additionally, the Staff notes that Mill Creek is incurring electric expenses of approximately \$95 per month, annual DNR discharge permit fees of \$3,000 and annual Commission assessments of approximately \$245 (based on the Commission's FY2005 assessment).

#### **FUTURE STAFF ACTIONS**

9. Steve Loethen and/or other Staff members will continue to periodically monitor the operation of Mill Creek's sewage treatment plant and will make recommendations to Mill Creek for any operational adjustments that may be needed, and will also continue to monitor the actions that Mill Creek is taking with regard to monthly effluent samples being taken, analyzed and reported to the DNR.

10. Mr. Johansen will share Mr. DeFord's response to today's e-mail message with the owner of Mill Creek, Mill Creek's attorney, Joe Bindbeutel of the Attorney General's Office, and Aimee Davenport of the DNR. He will also ask these people if they believe a coordination meeting regarding the system transfer would be helpful.

#### **FUTURE STATUS REPORTS**

11. The Staff again notes that it will continue to file weekly status reports, or will advise the Commission that additional information is not available and that a status report will thus not be filed for a given week.

**WHEREFORE** the Staff respectfully submits its eleventh Status Report for the Commission's information and consideration in this case.

Respectfully Submitted,

DANA K. JOYCE  
General Counsel

**/s/ Keith R. Krueger**

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel and/or parties of record this 17th day of June 2005.

**/s/ Keith R. Krueger**