

**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, a 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, its tenth and eleventh status reports on June 10 and June 17, respectively, and a Notice Regarding Status Report on June 24.

#### **STATUS UPDATES**

5. Regarding the planned joint PSC/DNR inspection of Mill Creek's system and the condition of Mill Creek's sewage treatment plant, the Staff offers the following information.

(a) The joint PSC/DNR inspection was conducted on June 23. Steve Loethen of the Water & Sewer Department participated in that inspection for the Staff and was accompanied by two representatives of the DNR's St. Louis regional office. The DNR's report regarding this inspection has not yet been sent to Mill Creek. A copy of the report will be provided to the Staff when it is sent to Mill Creek.

(b) While the overall condition of Mill Creek's sewage treatment plant continues to be relatively good, there were two matters identified during the June 23 inspection that need to be dealt with. First, it was discovered that one of plant's blower motors was not operational. Second, it was noted that sludge needs to be hauled from the sludge holding basin, as the basin is nearly full. Mr. Loethen has attempted to contact representatives of Mill Creek to discuss these two matters, but has not yet been successful in doing so.

6. 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. On June 30, Dale Johansen of the Staff forwarded to Ms. Susan Myers (staff attorney for the MSD) the e-mail message he had sent to Paul DeFord (outside counsel for the MSD) on June 17. Ms. Myers responded to that message on that same day and offered the following information.

(a) The MSD needs to complete its engineering evaluation of the system so that it can determine what work might be necessary if it takes ownership of the system.

(b) The MSD expects that its engineering evaluation will be completed within the next month, with a review of that evaluation and a determination of the course of action to take to follow shortly thereafter.

(c) The MSD has not encountered any problems with regard to obtaining access to the sewage treatment plant.

(d) The MSD was not able to participate in the June 23 PSC/DNR inspection of Mill Creek's system due to short notice.

#### **FUTURE STAFF ACTIONS**

7. 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. Specifically, Mr. Loethen will contact representatives of Mill Creek and advise them that the non-operational blower motor needs to be repaired and that a load of sludge needs to be hauled from the sludge holding basin.

8. The Staff will continue to monitor the MSD's progress in making its determination of whether it will take over Mill Creek's system. Additionally, the Staff will advise the MSD of any future planned inspections, as far in advance as possible, so that the MSD will have the opportunity to participate in such inspections.

### **FUTURE STATUS REPORTS**

9. 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 twelfth 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 1st day of July 2005.

**/s/ Keith R. Krueger**