

**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

MOTION TO STAY EVIDENTIARY HEARING

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and for its *Motion* respectfully states as follows:

1. Since 2005, the Staff has monitored the activities of Mill Creek Sewers, Inc. (“Mill Creek” or “Company”) by filing weekly, then monthly, and now quarterly reports to apprise the Missouri Public Service Commission (Commission) on the status of the Company.

2. On December 8, 2009, the Staff filed a petition for an interim receiver and for a Commission order allowing the General Counsel to petition the circuit court for the appointment of a receiver. On December 9, 2009, the Commission’s *Order Setting Evidentiary Hearing* scheduled January 5, 2010 for the receivership hearing.

3. As of recent, the Company has been in contact with the Staff and an agreement between the parties has been reached in principle. The parties intend to file a signed agreement resolving all outstanding issues for the Commission’s consideration within the week, setting forth a time table for compliance with certain issues and procedures in the event of the Company’s default.

4. On behalf of Mr. Charlie Stroud, owner and manager of Mill Creek, the undersigned states he does not object to the staying of the evidentiary hearing scheduled for tomorrow.

WHEREFORE, the Staff prays for the Commission to stay the evidentiary hearing scheduled for January 5, 2010.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez

Legal Counsel

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Missouri Public Service Commission

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served by electronic mail, facsimile, United States postal mail, postage prepaid, or hand delivered to all attorneys and/or parties of record this 4th day of January 2010.

/s/ Jennifer Hernandez