

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Jerry Reed,)	
d/b/a Woodland Acres Water System, for a)	
Certificate of Convenience and Necessity to)	Case No. WA-2009-0031
Provide Water Service in St. Clair County,)	
Missouri)	

STAFF’S MOTION TO FILE A STATUS REPORT WITHIN 60 DAYS
IN LIEU OF A RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff), through Counsel, and files this Motion with the Missouri Public Service Commission (Commission). For its Motion, Staff respectfully states the following to the Commission:

1. On June 3, 2008, Counsel for Staff sent correspondence to Mr. Jerry Reed (Mr. Reed or Applicant), which asserted he was charging for water service within the Woodland Acres Water System, and was required to file for a Section 393.170 RSMo (2000) Certificate of Public Convenience and Necessity.
2. On July 21, 2008, Mr. Reed filed an application for a Certificate of Convenience and Necessity to provide water service in St. Clair County, Missouri.
3. On July 29, 2008, the Commission issued its Order and Notice, notifying the Applicant that “the application may not conform to the Commission’s rules concerning applications in general or to those specifically concerning the authority Applicant seeks.” Subsequently, Counsel for Staff assisted Mr. Reed’s counsel in determining the application’s deficiencies. Also, Jerry Scheible, Staff Utility Regulatory Engineer, worked with Mr. Reed to obtain technical information necessary to evaluate the application.
4. On August 21, 2008, the Commission issued its Order Directing Staff Recommendation, ordering Staff to file a recommendation no later than October 15, 2008.

5. Throughout this case, Staff and Counsel for Staff have provided information to Mr. Reed and his counsel on various options for a water system of this size, including organization under Sections 355.025 RSMo (2000) and 393.900 RSMo (Supp. 2007).

6. After Staff completed its investigation of the water system, and conveyed rate information to Mr. Reed, he conveyed to Staff that it was his belief that organization as a not-for-profit corporation was a more viable option for the system.

7. Staff does not object to allowing Mr. Reed sixty (60) days to organize as a not-for-profit corporation.

8. If the Commission approves this course of action, Staff intends to monitor the progress of the organization closely and file a status report. Staff also intends to proceed with its recommendation in this case if, within sixty (60) days, a good faith effort has not been made to organize the water system as a not-for-profit corporation.

WHEREFORE, the Staff prays the Commission will allow 1) Mr. Reed sixty (60) days to make a good faith effort to organize Woodland Acres Water System as a not-for-profit corporation; and 2) Staff to file a progress report in sixty (60) days in this matter.

Respectfully submitted,

/s/Jennifer Hernandez

Jennifer Hernandez

Legal Counsel

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I hereby certify that a true copy of the foregoing was mailed or electronically mailed to all parties to this action on this 15th day of October, 2008.

/s/ Jennifer Hernandez