

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

Robert M. Hellebusch,	)	
	)	
Complainant,	)	
	)	
vs.	)	
	)	<u>Case No. SC-2005-0099</u>
Kenneth Jaeger and	)	
Blue Lagoon Sewer Corp.,	)	
	)	
Respondents.	)	

**MOTION FOR AN ON-THE-RECORD PRESENTATION**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and for its Motion For An On-The-Record Presentation ("Motion") states the following to the Missouri Public Service Commission ("Commission").

1. Due to the amount of time that has transpired since the filing of the complaint that resulted in the instant case being established, the Staff believes it is appropriate for the Commission to set a date for an on-the-record presentation regarding the status of this case.

2. Specifically, the Staff believes such a presentation should be used for the purpose of the Commission receiving information regarding the following matters, and any other matters that might be raised by the presiding judge or the Commissioners:

a. Compliance issues pertaining to the subject sewage treatment and collection system that have been raised by the Missouri Department of Natural Resources ("DNR") and the Missouri Attorney General's Office ("AGO");

b. The status of the Respondents' efforts to address the compliance issues raised by the AGO and the DNR;

c. The status of the Respondents' actions pertaining to the issue of billing for service; and

d. The reasons why the Commission should or should not enter an order in this case directing its General Counsel to proceed to Circuit Court with an appropriate penalty action against the Respondents.

3. Regarding the manner in which the above-referenced information should be provided at the on-the-record presentation, the Staff believes the parties should be prepared to provide the subject information, and to respond to questions from the bench, either through presentations by counsel or testimony by appropriate witnesses.

4. In order for the best available information to be provided to the Commission, the Staff believes it would be beneficial for the AGO and the DNR to be added as a party to this case. In that regard, the Staff has attempted to contact the appropriate AGO and DNR representatives to inquire of their willingness to be joined as a party, but has not yet been successful in doing so. Subsequent to those contacts being made, a further pleading will be filed regarding this matter.

**WHEREFORE**, the Staff respectfully submits this Motion for the Commission's consideration and further respectfully requests that the Commission issue an order consistent with the Staff's request herein.

Respectfully Submitted,

**/s/ Lera Shemwell**

Lera Shemwell  
Senior Counsel  
Missouri Bar No. 43792

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Missouri Public Service Commission

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**CERTIFICATE OF SERVICE**

I hereby certify that copies of this Motion have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel of record this 3rd day of March 2006.

**/s/ Lera Shemwell**