

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Gerald and Joanne Reiersen,)	
)	
Complainants,)	
)	
v.)	<u>Case No. SC-2005-0083</u>
)	
Kenneth Jaeger and Blue Lagoon)	
Sewer Corp.,)	
)	
Respondents.)	

ORDER DENYING MOTION FOR CONTINUANCE

Issue Date: May 16, 2007

Effective Date: May 16, 2007

On May 9, 2007, Respondents filed a Motion for Continuance. Respondents claim that a pending case in the Circuit Court of Ralls County, Missouri addresses the issues, and that all the parties in the circuit court case all favor the relief the complainants in this case desire; namely, transfer of Blue Lagoon to Cannon Water Supply District No. 1 of Ralls, Monroe and Marion Counties, Missouri.

The Commission allowed the other parties until May 14 to respond. Staff and the Office of the Public Counsel timely objected to Respondent's request. They state that this case has languished long enough, and should go to hearing. Further, they state that they are dubious as to when, or even if, the case pending at the Circuit Court of Ralls County will address all of the issues pending before the Commission. The Reiersons did not respond to Respondents' motion; the Commission received a May 15 response from Mr. Hellebusch, in which he claimed that the Commission should deny the request because

Respondents have received one continuance, and because the Reiersons will be in Canada all summer.

The Commission takes up Respondent's motion, and will deny it. The complainants filed their complaints in the fall of 2004. The Commission has allowed the parties some two and one-half years to settle their dispute, and has received several status reports concerning related circuit court litigation during this time. The parties are obviously unable to resolve their disputes, and the Commission wants to give the complainants their opportunity for a hearing. The Reiersons are unavailable for hearing the entire summer, beginning May 19; granting the continuance would essentially guarantee that this complaint would remain pending for three years before resolution, which the Commission is unwilling to allow.

For the foregoing reasons, the Commission will deny the motion for continuance.

IT IS ORDERED THAT:

1. The Respondent's Motion for Continuance filed on May 9, 2007 is denied.
2. This order shall become effective on May 16, 2007.

(S E A L)

BY THE COMMISSION



Colleen M. Dale
Secretary

Ronald D. Pridgin, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 16th day of May, 2007.