

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 9th day of March,
2016.

Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	
v.)	
)	
Taney County Utilities Corporation)	
)	
Respondent.)	

File No. SC-2016-0135

ORDER GRANTING MOTION FOR DEFAULT DETERMINATION

Issue Date: March 9, 2016

Effective Date: March 9, 2016

On December 3, 2015, the Staff of the Commission filed a complaint against Taney County Utilities Corporation alleging that the company has failed to submit its 2013 annual report and has failed to pay its fiscal year 2014 assessment to the Commission. A copy of the complaint was served on Richard Scott, as registered agent for the Respondent, by registered mail on December 14. The Respondent's answer to Staff's complaint was due on January 4, 2016, but no answer or other response has been filed. On February 23, Staff filed a Motion for Default Determination, asking the Commission to make a finding of default.

Commission Rule 4 CSR 240-2.070(10) provides that if a respondent in a complaint case fails to file a timely answer, the Commission may find the respondent to be in default, and may deem the truth of all averments in the complaint to be admitted by the respondent.

Staff's complaint alleges that the Respondent has failed to submit its 2013 annual

report and has failed to pay its 2014 assessment to the Commission. Staff asks the Commission to direct its General Counsel to proceed to circuit court to seek the imposition of civil penalties against the Respondent for those violations of Missouri law. The Commission's rules allow the Respondent an opportunity to contest Staff's allegations before the Commission and the Respondent has chosen not to respond.

Based on that default, the Commission finds that the averments in Staff's Complaint are established. Specifically, the Commission finds that Respondent Taney County Utilities Corporation has failed to submit its 2013 annual report and has failed to pay \$677.68 of its 2014 fiscal year assessment. The Commission further finds that Respondent Taney County Utilities Corporation is subject to penalties and authorizes the General Counsel to proceed to circuit court to collect penalties for each and every day's violation of law.

By rule,¹ the Respondent has seven days from the issue date of this order to file a motion to set aside this order of default.

THE COMMISSION ORDERS THAT:

1. Staff's Motion for Default Determination is granted.
2. A default determination is entered against Taney County Utilities Corporation.
3. The facts alleged in Staff's Complaint are found to be established.
4. The Commission's General Counsel is authorized to file an action in the circuit court of its choosing to collect penalties against Taney County Utilities Corporation, as allowed by Sections 386.570 and 386.600, RSMo 2000.
5. The Respondents are allowed until March 16, 2016, to move to set aside this order of default.

¹ Commission Rule 4 CSR 240-2.070(10).

6. This order shall be effective when issued.



BY THE COMMISSION

Morris L. Woodruff

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney, Rupp, and
Coleman, CC., concur.

Woodruff, Chief Regulatory Law Judge