

Gerald & Joanne Reiersen,
Complainants,
v.
Kenneth Jaeger and
Blue Lagoon Sewer Corp.,
Respondents.

Case No. SC-2005-0083

STAFF RESPONSE TO COMMISSION ORDER

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), and for its Response to Commission Order states:

1. On December 8, 2006, the Commission ordered Staff to make a filing stating whether it believes the issues in this case are similar enough to those in Case No. SC-2005-0099 for the cases to be consolidated, and to file a status report regarding the issues discussed in the Staff's last status report.
2. Staff does consider the issues to be similar enough for the Commission to consolidate these cases for hearing.
3. It is Staff's understanding that MECO Engineering has completed an Engineering Report that recommend the lagoon effluent be distributed with an irrigation field using a fixed nozzle system.
4. Apparently Mr. Jaeger does not want to invest any money, and wants instead, to use a contractor with a portable traveling gun which requires no investment in an irrigation system.

5. Staff further understands that Cannon Water District #1 will not accept the system if the traveling gun contract option is the option approved.

6. Apparently neither method has been accepted or rejected by the Department of Natural Resources.

7. It is the Staff's understanding that Mr. Jaeger is to return to circuit court in the DNR case sometime in early March 2007. Staff will pursue verification of these statements with Assistant Attorney General Harry Bozian.

8. Staff plans to file a joint proposed procedural schedule on December 22 if Staff is actually able to reach all the parties. As an alternative, Staff plans to file its proposed procedural schedule and request that the Commission issue its order directing the other parties to respond within ten days.

WHEREFORE, the Staff respectfully submits this pleading stating its opinion that the cases may be consolidated.

Respectfully Submitted,

/s/ Lera Shemwell

Lera Shemwell
Senior Counsel
Missouri Bar No. 43792

Attorney for the Staff of the
Missouri Public Service Commission

P.O. Box 360
Jefferson City, MO 65102
573-751-7431 (telephone)
573-751-9285 (facsimile)
lera.shemwell@psc.mo.gov (e-mail)

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 electronic mail to all counsel of record this 18th day of December 2006.

/s/ Lera Shemwell _____