BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service)
Commission,)
Complainant,)
v.)
Aspen Woods Apartment Associates, LLC, and National Water & Power, Inc.,)
Respondents.)

Case No. WC-2010-0227

THIRD JOINT STATUS REPORT

COME NOW the Staff of the Missouri Public Service Commission (Staff), Aspen Woods Apartment Associates, LLC (Aspen Associates), National Water & Power, Inc. (NWP), and the Office of the Public Counsel (OPC), collectively known herein as the "Parties," and by and through the undersigned counsel respectfully state the following to the Commission:

1. On October 29, the Parties filed their *Second Joint Status Report* with the Commission, summarizing the case activities since the last status report on August 30, 2010.

2. Since that time, the Parties have made several filings in this case, which the Parties will not state herein to avoid redundancy.

3. Of significance at this point in time is the Commission's decision regarding the Respondents Motion for Summary Determination, which the Commission has scheduled an oral argument for on January 3, 2011.

4. Since the settlement conferences held in late August and September of 2010, the Parties have not participated in any further settlement discussions.

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5. The Staff intends, and the other parties may, engage in further discovery in preparation for the evidentiary hearing scheduled for May 18-20, 2011.

WHEREFORE, the Parties submit this status report for the Commission's information and consideration.

Respectfully submitted,

<u>/s/ Jennifer Hernandez</u>

Jennifer Hernandez Associate Staff Counsel Missouri Bar No. 59814

Attorney for the Staff of the Missouri Public Service Commission P. O. Box 360 Jefferson City, MO 65102 (573) 751- 8706 (Telephone) (573) 751-9285(Fax) jennifer.hernandez@psc.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above was served upon the attorneys/parties of record via electronic mail to Lowell D. Pearson, attorney for Aspen Woods Apartment Associates, LLC, at <u>lowell.pearson@huschblackwell.com</u>; Craig S. Johnson, attorney for National Water & Power, Inc., at <u>cj@cjaslaw.com</u>; Paul A. Boudreau and John J. McDermott, attorneys for the National Apartment Association at <u>paulb@brydonlaw.com</u> and <u>jmcdermott@naahq.org</u>; and the Office of the Public Counsel at <u>opcservice@ded.mo.gov</u> this 30th day of December 2010.

<u>/s/ Jennifer Hernandez</u>