

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

In the matter of the application of Timber)	
Creek Sewer Company, for permission,)	
approval, and a certificate of convenience)	
and necessity authorizing it to construct,)	CASE NO. SA-2010-0100
install, own, operate, control, manage and)	
maintain a sewer system for the public,)	
located in an unincorporated area in)	
Clinton County, Missouri.)	

**TIMBER CREEK SEWER COMPANY'S
RESPONSE TO STAFF'S RECOMMENDATION**

Comes now Timber Creek Sewer Company ("Applicant" or "Timber Creek"), and pursuant to the Commission's Order Directing Filing dated November 16, 2009, states as follows:

1. Applicant, Timber Creek Sewer Company, has received and reviewed Staff's Recommendation filed with the Commission on November 13, 2009, in which Staff recommended that the Commission: 1) grant Timber Creek's a certificate of convenience and necessity to serve the Timber Springs Estates area near Trimble, Missouri in Clinton County as requested in its application, contingent upon a finalized contract with the Timber Springs Homes Association transferring the existing wastewater treatment plant and collection system to Timber Creek; 2) approve Timber Creek's existing monthly customer rates for sewer service, general service charges and depreciation rates to be applicable to the proposed service area; and 3) approve the existing contribution-in-aid-of construction (CIAC) charge for the Company's Platte County service area to apply to the proposed service area and in addition recommended that the Commission direct Timber Creek to take certain actions regarding: 4) the filing of new and

revised tariff sheets and the final written agreement with the homes association; 5) the submission of proof of clear title to the treatment facilities; the land upon which it is located; and easements providing for the necessary access for the operation and maintenance of the collection system; 6) to note the number of customers in each of its service areas separately in its annual reports; and 7) to maintain its books and records in a manner sufficient to allow for area-specific cost-of-service analyses so that area-specific rates can be developed if needed in the future and, finally recommended that the Commission: 8) make no finding that would preclude the Commission from considering the ratemaking treatment to be afforded any matters pertaining to the granting of the requested certificate, including future expenditures by Timber Creek in any later proceeding.

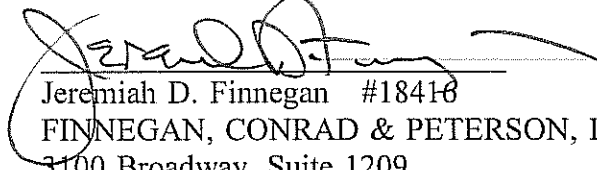
2. After review of the Staff's Recommendation, Timber Creek is of the opinion that it fully supports and approves of the Staff's Recommendation and that it plans to comply with the Staff's Recommendations should the Commission grant it a certificate for the proposed service area and directs the Company to take the actions recommended by Staff.

3. Timber Creek understands that Staff's recommendation that the Commission grant the application is contingent upon Timber Creek's submission of a finalized agreement with the Timber Springs Homes Association transferring the existing wastewater treatment plant and collection system to Timber Creek. Timber Creek wishes to inform the Commission that it has negotiated an agreement with the board of the homes association, who met with the home owners on November 19, 2009 to discuss it and give them the required thirty day notice of a meeting to be held December 22, 2009 to vote upon approving the agreement. If approved by the members at such meeting, it will become finalized upon signing and capable of being submitted to the

Commission as recommended by Staff.

WHEREFORE, Timber Creek, having fully responded to Staff's Recommendation prays that the Commission find that the public convenience and necessity requires the granting of this Application with the recommended terms and conditions set forth in Staff's Recommendation.

Respectfully Submitted,

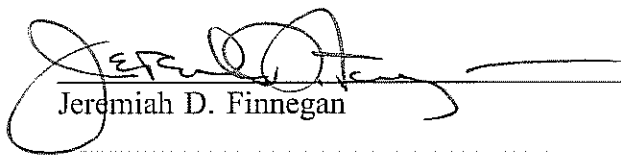


Jeremiah D. Finnegan #18418
FINNEGAN, CONRAD & PETERSON, L.C.
3100 Broadway, Suite 1209
Kansas City, Missouri 64111
Telephone (816) 753-1122
Fax Line (816) 756-0373
E-Mail jfinnegan@fcplaw.com

ATTORNEYS FOR APPLICANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Response to Staff's Recommendation has been provided, either by first-class mail, by electronic mail, by facsimile transmission or by hand-delivery, to each attorney and/or party of record for this case on this 20th day of November 2009.



Jeremiah D. Finnegan