

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

In the Matter of the Joint Application of South)	
Jefferson County Utility Company and the)	
Summer Set Property Owners Association for)	<u>Case No. WD-2006-0157</u>
Cancellation of a Certificate of Convenience)	
and Necessity and Associated Tariff Sheets)	

RESPONSE TO ORDER DIRECTING FILING

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through Counsel, and for its Response to Order Directing Filing ("Response") states the following to the Missouri Public Service Commission ("Commission").

1. On March 17, 2006 (hereafter, all dates refer to the year 2006 unless noted otherwise), the Commission issued its **Order Directing Filing** in the instant case, wherein it directed the Staff to file a statement indicating whether South Jefferson County Utility Company ("SJCU") has received any notices of violations ("NOVs") from the Department of Natural Resources ("DNR"). If SJCU has received any NOVs, the Commission also directed the Staff to state what the violations are, whether they have been resolved and if not resolved, what is being done to resolve them. Further, the Commission directed the Staff to file the required statement no later than 9:00 a.m. on March 21.

2. In compliance with the above-referenced Commission order, the Staff provides the following responses:

a. Dale Johansen, Manager of the Commission's Water & Sewer Department ("W/S Dept"), reviewed records maintained by the W/S Dept and did not discover any NOVs issued by the DNR to SJCU; and

b. In an effort to make sure that the W/S Dept has the most recent DNR information regarding SJCU, Dale Johansen of the W/S Dept attempted to contact the Director of the DNR's St. Louis Regional Office, Mike Struckhoff, on Friday, March 17 but was not able to do so. Mr. Johansen did, however, talk with Mr. Struckhoff the morning of Monday, March 20 and asked Mr. Struckhoff to fax him the most recent DNR inspection reports regarding SJCU's water and sewer systems and copies of any NOV's that the DNR has issued to SJCU. That information has not, however, yet been received, most likely due in part to the fact that the DNR employees in the St. Louis Regional Office that maintain at least some of the requested information are attending a conference.

3. The Staff wishes to note that for this specific situation the existence of any DNR compliance matters regarding SJCU's water and sewer systems will be known to the Summer Set Property Owners Association ("POA") since the POA has control over SJCU and its operation of the subject water and sewer systems. An example of this relationship is that the POA is listed as both the owner of and the continuing authority for the subject sewer system on the DNR discharge permit for the system. As a result, the POA would have received any NOV's issued by the DNR for this system.

4. Mr. Johansen will be in attendance at the Commission's March 21 Agenda to discuss this matter further, if requested to do so, and has also advised SJCU's attorney that the instant case is scheduled for discussion during that Agenda.

WHEREFORE, the Staff respectfully submits this Response for the Commission's information and consideration in this case.

Respectfully Submitted,

/s/ Keith R. Krueger

Keith R. Krueger
Deputy General Counsel
Missouri Bar No. 23857

Attorney for the Staff of the
Missouri Public Service Commission

P.O. Box 360
Jefferson City, MO 65102
573-751-4140 (telephone)
573-751-9285 (facsimile)
keith.krueger@psc.mo.gov (e-mail)

CERTIFICATE OF SERVICE

I hereby certify that copies of this Response have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel and/or parties of record this 21st day of March 2006.

/s/ Keith R. Krueger