

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

**In the Matter of the Application of J & J Equities, LLC, and McB Investments, LLC, to Acquire Ten Percent (10%) or More of the Outstanding Capital Stock of Tri-States Utility, Inc.**        )

**Case No. WF-2009-0018**

**RESPONSE TO ORDER DIRECTING FILING**

**COMES NOW** the Staff of the Missouri Public Service Commission and, for its Response to Order Directing Filing, states to the Missouri Public Service Commission as follows.

On July 9, 2008, the Commission ordered the Staff to file, by no later than July 21, 2008, either its recommendation in this matter or a pleading indicating when it expects to be able to file its recommendation.

The Staff customarily requires 45 to 60 days to investigate a financing application similar to the one that J & J Equities and McB Investments have submitted in this case, and to submit the Staff's recommendation. When the Commission grants a motion for expedited treatment, the Staff usually endeavors to file its recommendation within 30 days after the application is filed.

J & J Equities and McB Investments did not comply with the requirements of Commission Rule 4 CSR 240-2.080 (16), in that they: did not include in the title of their pleading the words "Motion for Expedited Treatment"; did not specify the date by which they desire the Commission to act on the application; did not describe the harm that will be avoided or the benefit that will accrue if the Commission acts by the desired date; and did not state that the pleading was filed as soon as it could have been filed or an explanation why it was not.

The Staff met with the applicants before they filed the Application, but the applicants did not then indicate they would request expedited treatment, and did not tell why expedited treatment was needed.

Nonetheless, the Staff expects that it will be able to file its recommendation in this case by August 7, 2008, just 31 days after the application was filed.

**WHEREFORE**, the Staff submits its Response to Order Directing Filing.

Respectfully submitted,

s/ Keith R. Krueger

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronic mail to all counsel of record this 21st day of July 2008.

/s/ Keith R. Krueger