

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

In the Matter of the Application of White       )  
River Valley Water Company for Sale of       )  
Facilities and Assets to Public Water Supply   )  
District No. 2 of Taney County, Missouri       )

Case No. WM-2006-0557

**MOTION FOR ORDER DIRECTING FILING AND FOR  
EXTENSION OF TIME TO FILE RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and for its Motion for Order Directing Filing and for Extension of Time to File Recommendation ("Motion") states the following to the Missouri Public Service Commission ("Commission").

1. On June 30, 2006 (unless noted otherwise, all dates herein refer to the year 2006), White River Valley Water Company ("Company") filed an Application to Sell Facilities and Assets ("Application") seeking the Commission's approval of a sale of its water system to Public Water Supply District No. 2 of Taney County, Missouri ("District"), and the instant case was established.

2. On July 3, the Commission issued its **Order Directing Notice and Adding Public Water Supply District No. 2 of Taney County, Missouri as a Party**, in which, among other things, it established July 24 as the deadline for the submission of intervention requests.

3. On July 27, the Commission issued its **Order Directing Filing**, in which it noted that no applications to intervene in this case were submitted by the July 24 deadline and in which it directed the Staff to file a status report no later than August 8 notifying the Commission of a date certain on which the Staff would file its recommendation in this case.

4. On August 8, the Staff filed a Status Report in which it advised the Commission it would file its recommendation in this case on or before September 22.

5. Paragraph 5 of the Company's Application states that a copy of the *Facilities Purchase Agreement* ("Purchase Agreement") executed by the Company and the District, and a copy of the *Resolution from Board of Directors of White River Valley Water Company Authorizing Sale of Assets* ("Resolution"), ". . . are filed contemporaneously herewith." However, copies of these documents were not included with the filing of the Application.

6. Commission Rule 4 CSR 240-3.605(1)(B) requires that a copy of the contract or agreement for sale be included with an application such as the one that is the subject of this case. Commission Rule 4 CSR 240-3.605(1)(C) requires that a certified copy of the resolution of the board of directors of each applicant authorizing the proposed action be included with an application such as the one that is the subject of this case.

7. In addition to the requirement that a copy of the subject Purchase Agreement was to have been included with the Company's Application, the Staff's review of the Purchase Agreement will be an integral part of its investigation of the Application and the development of its recommendation regarding the Application.

8. Soon after the Company filed its Application, Staff member Dale W. Johansen, Manager of the Commission's Water & Sewer Department advised the attorneys for the Company and the District that the Purchase Agreement needed to be filed in the case before the Staff would be able to develop its recommendation regarding the Application. Mr. Johansen also advised the attorney for the Company of this need a second time, soon after the Staff filed the Status Report referenced in Paragraph 4 herein.

9. Once the filing deficiencies noted herein are corrected, the Staff believes it will be able to file its recommendation within thirty days.

**WHEREFORE**, the Staff respectfully moves the Commission to issue an order that:

(a) Directs the Company to correct the filing deficiencies noted herein; and

(b) Extends the date for the filing of the Staff's recommendation to a date that is thirty days after the date that the filing deficiencies are corrected.

Respectfully Submitted,

**/s/ Keith R. Krueger**

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**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 e-mail to all counsel and/or parties of record this 22nd day of September 2006.

**/s/ Keith R. Krueger**