

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In Re the Matter of the Joint Petition of )  
Frimel Water System, Inc. and Lake Lorraine )  
Property Owners' Association for Authority ) **Case No. WM-2006-0459**  
for Frimel Water System, Inc., to Transfer Its )  
Assets and Cease Operations )

## **ORDER ESTABLISHING TIME FOR RESPONSE**

Issue Date: October 27, 2006

Effective Date: October 27, 2006

On June 5, 2006,<sup>1</sup> Frimel Water System, Inc. ("Frimel") and Lake Lorraine Property Owners' Association ("Association") filed a Joint Petition seeking authority for Frimel to transfer its assets to the Association. On June 8, the Commission issued notice and set an intervention deadline of July 10. The Commission also directed that any requests for a hearing should be filed by July 10. No requests for intervention or for a hearing were filed.

On September 7, the Staff of the Missouri Public Service Commission filed its recommendation for the approval of the transfer of assets. Staff's recommendation for approval advised the Commission to condition approval of the transfer of assets upon the following:

- a. That Frimel's past-due assessment of \$165.48 for fiscal year 2007 be paid;
- b. That the Association be required to submit evidence of changes to its Constitution and By-Laws that will allow all water utility customers to vote on water utility matters, regardless of membership in general;
- c. That, in conjunction with item subpart b above, the Association be required to submit evidence that the notice to its members regarding the proposed

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<sup>1</sup> All dates throughout this order refer to the year 2006 unless otherwise noted.

changes to its Constitution and By-Laws clearly stated that approval of the changes would result in the water system no longer being regulated by the Commission; and

- d. That the Association be required to inform the Commission when the transactions related to the transfer of assets have been completed.

On September 20, the Commission directed Frimel and the Association to file proof of compliance with the above outlined conditions prior to Commission approval of the transfer of assets. On October 27, Frimel and the Association filed a pleading stating that Frimel's past-due assessment of \$165.48 for fiscal year 2007 was paid. The pleading included attachments verifying that the Association provided appropriate notice to its members regarding the changes to its Constitution and By-Laws, and that the required changes were in fact adopted at the Association's regular meeting on October 22, 2006.

The Staff of the Missouri Public Service Commission will be directed to review the Joint Applicants' October 27 pleading and file a report stating whether Frimel and the Association are in compliance with the conditions (a) through (c) articulated for approval of the transfer of assets.

**IT IS ORDERED THAT:**

1. No later than November 3, 2006, the Staff of the Missouri Public Service Commission shall file a report as directed in the body of this order.

2. This order shall become effective on October 27, 2006.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

( S E A L )

Harold Stearley, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 27th day of October, 2006.