

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 8th day of
October, 2015.

The Office of the Public Counsel,)	
)	
Complainant,)	
)	
v.)	
)	
Fawn Lake Water Corp., and)	
Rachel Hackman,)	
)	
Respondents.)	

File No. WC-2015-0340

ORDER SETTING ASIDE DEFAULT DETERMINATION

Issue Date: October 8, 2015

Effective Date: October 8, 2015

On June 19, 2015, the Office of the Public Counsel filed a complaint against Fawn Lake Water Corp. and its owner and operator, Rachel Hackman, alleging that the Respondents are providing water to the public for gain without having first obtained authorization from the Commission, as required by Section 393.170, RSMo 2000. A copy of the complaint was served on Fawn Lake by registered mail on July 2. Notice to Rachel Hackman was returned by the Post Office as unclaimed. When Fawn Lake failed to answer Public Counsel's complaint, the Commission issued an order entering a default determination against Fawn Lake on September 16. That order is to become effective on October 16.

The Commission's order allowed Fawn Lake until September 30 to file a motion to set aside the order of default. On that date, Fawn Lake filed a motion asking the Commission to set aside the default and to allow the Respondents to file their answer to Staff's complaint out-

of-time. The motion explains that the Respondents have recently retained legal counsel and are now prepared to file an answer. On October 5, Staff filed a response indicating it does not oppose the Respondents' motion to set aside the order of default. No party has opposed that request.

The Commission finds that there is good cause to set aside the order of default and will direct the Respondents to promptly file their answer to Staff's complaint. The Commission's Order Granting Default also directed Public Counsel to file a pleading by October 19 setting forth the basis for the Commission's authority to grant the relief sought in Public Counsel's complaint. With the order being set aside, Public Counsel is also relieved of its obligation to respond.

THE COMMISSION ORDERS THAT:

1. The Order Granting Motion for Default Determination is set aside.
2. The Respondents shall file their answer to the Office of the Public Counsel's complaint no later than October 22, 2015.
3. This order shall be effective when issued.



BY THE COMMISSION

A handwritten signature in cursive script that reads "Morris L. Woodruff".

Morris L. Woodruff
Secretary

Hall, Chm., Stoll, Kenney,
Rupp, and Coleman, CC, concur.

Woodruff, Chief Regulatory Law Judge