

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service
Commission,

Complainant,

v.

Aspen Woods Apartment Associates, L.L.C.,
Barry Howard, Aspen Woods Apartments,
Sapal Associates, Sachs Investing Co.,
Michael Palin, Jerome Sachs, and National
Water & Power, Inc.

Respondents.

File No. WC-2010-0227

ORDER GRANTING MOTIONS, RESCINDING SHOW CAUSE ORDERS AND DIRECTING THE STAFF OF THE MISSOURI PUBLIC SERVICE COMMISSION TO RESPOND

Issue Date: March 15, 2010

Effective Date: March 15, 2010

On January 29, 2010, the Staff of the Missouri Public Service Commission filed this complaint. Notice was issued on February 2, 2010, and the Respondents were directed to answer no later than March 4, 2010. On March 8, 2010, the Commission issued separate show cause orders to five of the Respondents for failure to answer; i.e. Aspen Woods Apartments, Sapal Associates, Sachs Investing Co., Michael Palin and Jerome Sachs. On March 12, 2010, Respondents Sapal Associates, Sachs Investing Co., Michael Palin and Jerome Sachs, collectively identifying themselves as "Former Apartment Non-Owners", filed motions for leave to file answers out-of-time and motions to dismiss.

For the reasons stated in those motions, the Commission finds the Former Apartment Non-Owners' requests are not presented or maintained for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost

of litigation. Nor would granting Former Apartment Non-Owners' requests prejudice any other party. The Commission finds the requests to be reasonable and will grant them.

THE COMMISSION ORDERS THAT:

1. Sapal Associates', Sachs Investing Co.'s, Michael Palin's and Jerome Sachs' March 12, 2010, motions for leave to file answers and motions to dismiss out-of-time are granted.

2. Because the Commission has granted the motions delineated in paragraph 1, the show cause orders issued to Sapal Associates, Sachs Investing Co., Michael Palin and Jerome Sachs on March 8, 2010 are rescinded.

3. No later than 10:00 a.m. March 22, 2010, the Staff of the Missouri Public Service Commission shall respond to Sapal Associates', Sachs Investing Co.'s, Michael Palin's and Jerome Sachs' motions to dismiss.

4. This order shall become effective immediately upon issuance.

BY THE COMMISSION



**Steven C. Reed
Secretary**

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 15th day of March, 2010.