

March 24, 2006

**FILED**<sup>2</sup>

MAR 27 2006

The Honorable Colleen M. Dale  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO. 65102-0360

Missouri Public  
**Service Commission**

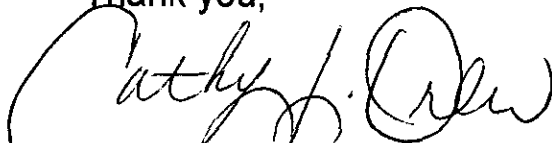
Re: Case Nos. WC-2006-0082, WC-2006-0090, WC-2006-0107,  
WC-2006-0122, WC-2006-0121, WC-2006-0120, WC-2006-0129,  
WC-2006-0139, WC-2006-0138

The Honorable Judge Dale:

Please find enclosed for filing, the "Complainant's Response to Respondents' Motion for an Order to Show Cause Why the Complainants Should Not Be Dismissed on Grounds that a Complainant is Engaging in the Unauthorized Practice of Law," and "Complainant's Response to Respondents' Suggestions in Opposition to Complainant's Motion to Compel." Five additional copies are also enclosed for the appropriate Commission personnel; if you would be so kind as to bring this filing to their attention.

Please contact me, if you should have any questions regarding this filing.

Thank you,



Cathy J. Orler  
3252 Big Island Drive  
Roach, MO. 65787  
(573)317-1490

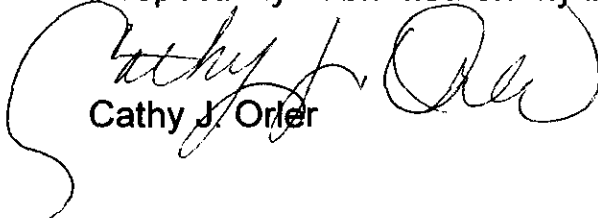


2. On September 24, 2005 – a “Complainant Data Request,” was made by Ms. Orlor to Mark W. Comley, (attorney for Folsom Ridge, LLC, (Owning and Controlling the BIHOA), requesting a membership listing of the BIHOA, including all individuals being billed and/or serviced by the BIHOA; and signed and ratified copies of the “Amended and Restated Declaration of Covenants and Conditions,” and signed and ratified copies of the “Amended and Restated By- Laws of the BIHOA.”
3. On November 29, 2005 – Ms. Orlor sent a second data request requesting the the same information to the BIHOA, (copies of these data requests are attached). This data request was sent to Robin Engen – office manager for Folsom Ridge, LLC, and/or BIHOA; and to Charles McElyea – who was acting as attorney for BIWSA, (f/k/a/ BIHOA). To date, the issues remain unresolved. No production of any information and/or documentation in response to the requests for information have been made by the BIHOA, by either Robin Engen or Charles McElyea. BIHOA has never responded or objected to the requests for information.
4. At the prehearing conference on December 08, 2005 – the Commission denied Ms. Orlor’s motion to compel FOLSOM RIDGE to produce the information requested, because Folsom Ridge, LLC, and the BIHOA are separate legal entities. However, at this same prehearing conference, Ms. Orlor again, made a request for this information, verbally, in the presence of Mr. Comley and Mr. McElyea.
  - (A) In good faith, Ms. Orlor conferred with both Mr. Comley and Mr. McElyea, in her verbal request for this information.
  - (B) To date, the issues remain unresolved. No production of any information and/or documentation in response to the verbal request for information has been made by either Mr. Comley or Mr. McElyea.

5. Complainant has been seeking this information for many years, and conferred with counsel for Respondents at the prehearing. Complainant believes that the telephone conference normally required by 4 CSR 240-2.090(8)(A) would be a waste of time and requests that the Commission waive this requirement.

Wherefore, the Complainant, respectfully requests the Commission to Compel BIHOA to produce the information requested.

Respectfully submitted on my behalf,

  
Cathy J. Orlor

#### Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent this 24th day of March, 2006, to the General Counsel's Office, and the Office of Public Counsel, and via U.S. mail, postage prepaid to Mark W. Comley, 601 Monroe Street, Suite 301, P.O. Box 537, Jefferson City, MO. 65102

CASE NO. WC-2006-0082

**COMPLAINANT DATA REQUEST**

Requested From: Charles E. McElyea – Big Island Water and Sewer Association, Inc.  
f/k/a Big Island Homeowners Association,  
Inc.  
Phillips, McElyea, Carpenter, & Welch, PC  
85 Court Circle  
P. O. Box 559  
Camdenton, MO. 65020  
Attorneys for Big Island Water and Sewer  
Association, Inc.

Date Requested: November 29, 2005

**Information Requested: A membership listing of the Big Island Homeowners' Association and including a complete listing of all individuals being billed by the BIHOA, relating to the water/sewer system.**

**Also provide all such documents for the period of January 01, 2000 to the date of this request. Please treat this request as an ongoing one, and provide any updates to these documents as they are made.**

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Please send copies to:

Cathy J. Orler  
3252 Big Island Drive  
Roach, MO. 65787

Requested By: Cathy Orler

Phone: 573-317-1490

Fax: 573-317-1490

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The information provided in response to the above information request is accurate and complete, and contains no material misrepresentations or omissions based upon present facts known to the undersigned. The undersigned agrees to immediately inform the Complainant if any matters are discovered which would materially affect the accuracy or completeness of the information provided in response to the above information.

Date Received: \_\_\_\_\_ Signed By: \_\_\_\_\_

Title: \_\_\_\_\_

CASE NO. WC-2006-0082

COMPLAINANT DATA REQUEST

Requested From: Charles E. McElyea – Big Island Water and Sewer Association, Inc.  
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Inc.  
Phillips, McElyea, Carpenter, & Welch, PC  
85 Court Circle  
P. O. Box 559  
Camdenton, MO. 65020  
Attorneys for Big Island Water and Sewer  
Association, Inc.

Date Requested: November 29, 2005

**Information Requested: A signed and ratified copy of the “Amended and Restated Declaration of Covenants and Conditions,” and a signed and ratified copy of the “Amended and Restated By-Laws of the Big Island Homeowners Association, Inc.”**

**Also provide all such documents for the Period of January 01, 2000 to the date of this request. Please treat this request as an ongoing one, and provide any updates to these documents as they are made.**

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Please send copies to:

Cathy J. Orlor  
3252 Big Island Drive  
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