

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

The Staff of the Missouri Public)
Service Commission,)
)
Complainant,)
)
v.)
)
Hurricane Deck Holding Company,)
Chelsea Rose Land Owners Association,)
Inc., Gregory D. Williams, Debra J.)
Williams, and Charles H. Williams,)
)
Respondents.)

Case No. WC-2006-0303

MOTION FOR DEFAULT ORDER

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and respectfully submits as follows:

Introduction

1. This Motion for Default Order seeks a default order pursuant to Commission Rule 4 CSR 240-2.070. The Respondents are currently in default for failure to file a timely answer by February 22, 2006 as directed by this Commission.

Motion for Default

2. On January 23, 2006, Staff filed its verified Complaint against the Respondents. (Complaint at p. 1-12, and the Affidavit of Dale W. Johansen). The Complaint contains five specific counts specifying Respondents' unlawful provision of water and sewer services to the public, for gain, without certification or other authority from the Missouri Public Service Commission (Complaint at p. 1-12, and the Affidavit of Dale W. Johansen).

3. All of the Respondents in this case were served by certified mail on January 24, 2006 pursuant to Commission Rule 4 CSR 240-2.070 (7) (EFIS entries 3-7 in Case No. WC-2006-0303).

4. The Commission Notice of Complaint directed that Respondents file their Answers to the Complaint on or before February 22, 2006.

5. Respondents have failed to file their Answers. This failure violates the Commission's Notice of Complaint and Commission Rule 4 CSR 240-2.070 (7, 8).

6. Commission Rule 4 CSR 240-2.070 (9) provides, in pertinent part:

If the respondent in a complaint case fails to file a timely answer, the complainant's averments may be deemed admitted and an order granting default may be entered.

7. Respondents filed a pleading entitled "Motion to Dismiss" on February 24, 2006. This pleading is untimely and is not an Answer.

8. Accordingly, Staff requests that the Commission strike the Motion to Dismiss and grant a default order pursuant to Commission Rule 4 CSR 240-2.070 (9).

WHEREFORE, Staff respectfully requests that the Commission enter an Order of Default pursuant to 4 CSR 240-2.070(9).

Respectfully submitted,

/s/ Robert V. Franson

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, or transmitted by facsimile or electronic mail to all counsel of record this 3rd day of March 2006.

/s/ Robert V. Franson