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October 25, 2005

FILED²

OCT 25 2005

Missouri Public
Service Commission

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

Re: Case No. WC-2006-0082

Dear Judge Dale:

Please find enclosed for filing in the referenced matter the original and five copies of a Limited and Special Entry of Appearance by Big Island Water and Sewer Association, Inc. f/k/a Big Island Homeowners Association, Inc. Challenging the Commission's Jurisdiction.

Please contact me if you have any questions regarding this filing. Thank you for your assistance.

Very truly yours,


Charles E. McElyea b, P.C.

CEM:sp

Enclosure

cc: Office of Public Counsel
General Counsel's Office
Cathy Orlor
Mark W. Comley
Reginald V. Golden

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED²

OCT 25 2005

Cathy J. Orler,

Complainant,

v.

Folsom Ridge, LLC,

Respondent.

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Case No. WC-2006-0082

Missouri Public
Service Commission

**LIMITED AND SPECIAL ENTRY OF APPEARANCE BY BIG ISLAND WATER AND
SEWER ASSOCIATION, INC. f/k/a BIG ISLAND HOMEOWNERS ASSOCIATION,
INC. CHALLENGING THE COMMISSION'S
JURISDICTION**

COMES NOW Big Island Water and Sewer Association, Inc. f/k/a Big Island Homeowners Association, Inc. (Big Island), a Missouri nonprofit corporation, by and through counsel, and appears for the limited and specific purpose of challenging the Missouri Public Service Commission's jurisdiction over Big Island. In support, Big Island submits the following to the Commission:

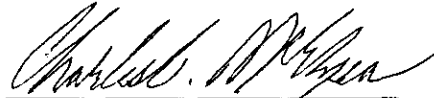
1. Big Island is a not for profit corporation organized under the laws of the State of Missouri. It was incorporated on July 16, 1998 and is in good standing.
2. On October 18, 2005, the Commission directed that Big Island answer the complaint filed in this action on October 25, 2005.
3. Commission rule 4 CSR 240-2.070(7) provides:

Upon the filing of a complaint in compliance with these rules, the secretary of the commission shall serve by certified mail, postage prepaid, a copy of the complaint upon the person, corporation or public utility against whom the complaint has been filed, which shall be accompanied by a notice that the matter complained of be satisfied or that the complaint be answered by the respondent, unless otherwise ordered, within thirty (30) days of the date of the notice.

4. Big Island has neither been named a respondent in the referenced complaint nor served with the complaint pursuant to the requirements of Commission rule. It is not a party to the complaint and has not been served with requisite process. Therefore, the Commission lacks personal jurisdiction over Big Island.

WHEREFORE, Big Island prays the Commission rule and direct that Big Island is not a party to this complaint for any purpose, and that any previous orders directed to Big Island are null and void.

Respectfully submitted,



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Attorneys for Big Island Water and Sewer
Association, Inc.

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 25th day of October, 2005, to General Counsel's Office at gencounsel@psc.mo.gov; and Office of Public Counsel at opcservice@ded.mo.gov; and via U.S. Mail, postage prepaid, to Cathy Orlor, 3252 Big Island Drive, Roach, MO 65787.

