

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

The Staff of the Missouri Public Service Commission,	)	
	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. WC-2017-0036</u></b>
	)	
Daybreak Ranches, Inc., and	)	
Overlook Property Owner's Association,	)	
	)	
Respondents	)	

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The Staff of the Missouri Public Service Commission,	)	
	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. SC-2017-0038</u></b>
	)	
Daybreak Ranches, Inc., and	)	
Overlook Property Owner's Association,	)	
	)	
Respondents	)	

**MOTION TO CONSOLIDATE**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its Motion to Consolidate, pursuant to Commission Rule 240-2.110(3), states as follows to the Missouri Public Service Commission (Commission):

1. On August 3, 2016, Staff filed its *Staff Complaint* against Respondent Daybreak Ranches Inc. (Daybreak Inc.) and Respondent Overlook Property Owner's Association (Association).

2. Count One of *Staff Complaint* alleged Respondents' unlawful operation of a public utility for the provision of water service for the Overlook Subdivision.

3. Count Two of *Staff Complaint* alleged Respondents' unlawful operation of a public utility for the provision of sewer service for the Overlook Subdivision.

4. The *Staff Complaint* involves both Respondents. The ownership and operation the water and sewer systems at issue are for the same customers and service area.

5. Any disputes amongst the parties as to these allocations of time, cost, etc., may affect the other related case, respectively, and therefore require additional filings and rulings in the other related case foreseeably causing delay, cost, and duplication.

**WHEREFORE**, the Staff respectfully requests the Commission consolidate case nos. WC-2017-0036 and SC-2016-0038 as these actions involve related questions of law and fact, and would help avoid unnecessary costs and delay.

Respectfully submitted,

**/s/ Jacob T. Westen**

Jacob Westen

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Attorney for Staff of the  
Missouri Public Service Commission

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was either hand delivered or served electronically on this 13<sup>th</sup> day of September, 2016, to the parties of record.

**/s/ Jacob T. Westen**