

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

In the Matter of the Application of Innsbrook Utilities, LLC,)
for a Certificate of Convenience and Necessity Authorizing)
it to Own, Operate, Control, Manage, Improve, and Maintain) **Case No. WA-2008-0018**
a **Water** and Sewer System for the Public, Located in an)
Incorporated Area of Warren County, Missouri)

In the Matter of the Application of Innsbrook Utilities, LLC,)
for a Certificate of Convenience and Necessity Authorizing)
it to Own, Operate, Control, Manage, Improve, and Maintain) **Case No. SA-2008-0020**
a Water and **Sewer** System for the Public, Located in an)
Incorporated Area of Warren County, Missouri)

ORDER CONSOLIDATING CASES

Issue Date: August 24, 2007

Effective Date: August 24, 2007

On July 13, 2007,¹ pursuant to Section 393.170, RSMo 2000, and Commission Rules 4 CSR 240-2.060, 4 CSR 240-3.305, and 4 CSR-3.600, Innsbrook Utilities, LLC, (“Innsbrook”) filed two applications (as captioned in the styles of these cases above) with the Missouri Public Service Commission. Innsbrook requested that the Commission grant it authority to own, operate, control, manage, improve and maintain a water and sewer system for the public in an incorporated area of Warren County, Missouri. Specifically, the water and sewer service is to be provided to the Village of Innsbrook, a community composed of a mixture of single family homes and recreational chalets.

On July 17, the Commission issued notice for both matters and set an intervention date of August 6. No timely requests for intervention were filed. On August 22, Public

¹ All dates throughout this order refer to the year 2007 unless otherwise noted.

Water Supply District No. 2 of St. Charles County, Missouri filed an application to intervene out of time. A determination on that application is still pending.

On August 7, the Commission directed its Staff to file a pleading stating when it would be able to file a recommendation with regard to Innsbrook's applications. On August 13, Staff responded stating that Innsbrook had not filed the required feasibility study for Staff to complete an analysis of Innsbrook's applications. Staff further stated that once the feasibility study is filed it anticipates it will require sixty days to complete its analysis and file its recommendation.

Staff also filed a motion to consolidate these matters noting the cases involve related issues of law and fact, and that keeping them separate would serve to unnecessarily duplicate the filings in these matters. Commission Rule 4 CSR 240-2.110(3) allows the Commission to consolidate pending actions involving related questions of law or fact. The issues in WA-2008-0018 are clearly related to those in Case No. SA-2008-0020. Keeping the cases separate would not provide any benefit, and would require duplicate filings of every pleading and order. Therefore, the cases will be consolidated for all purposes. Case No. WA-2008-0018 will be designated as the lead case and hereafter all pleadings filed in the consolidated case shall be filed in Case No. WA-2008-0018. The Commission finds Staff's unopposed motion to consolidate to be reasonable and will grant it.

IT IS ORDERED THAT:

1. Cases WA-2008-0018 and SA-2008-0020 are hereby consolidated for all purposes. Case No. WA-2008-0018 is designated as the lead case and the style shall be: "In the Matter of the Application of Innsbrook Utilities, LLC, for a Certificate of Convenience and Necessity Authorizing it to Own, Operate, Control, Manage, Improve, and Maintain a

Water and Sewer System for the Public, Located in an Incorporated Area of Warren County, Missouri.

2. This order shall become effective on August 24, 2007.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale
Secretary

(S E A L)

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

Dated at Jefferson City, Missouri,
on this 24th day of August, 2007.