

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The Staff of the
Missouri Public Service Commission,

Complainant,

v.

Missouri Utilities Company,

Respondent.

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Case No. WC-2006-0029

ORDER DIRECTING STAFF TO IDENTIFY AN INTERIM RECEIVER

Issue Date: August 8, 2005

Effective Date: August 8, 2005

On July 21, 2005, the Staff of the Commission filed a complaint against Missouri Utilities Company. The complaint indicates that the owner of Missouri Utilities Company has abandoned the company and that there is an imminent danger that the customers of Missouri Utilities will lose their water and sewer service. Staff seeks authority from the Commission to file a petition in circuit court seeking the appointment of a receiver to take control and responsibility over Missouri Utilities, and to liquidate the company. Staff further requests that the Commission appoint an interim receiver to take control of the company while the petition for appointment of a receiver proceeds through the circuit court.

On July 22, the Commission ordered Missouri Utilities to answer Staff's complaint by August 5. Missouri Utilities has not filed an answer and appears to be in default. If the

Commission finds Missouri Utilities in default, it will appoint an interim receiver in the order granting default. Although Staff's complaint requests that an interim receiver be appointed, it does not identify the person that it wishes to be appointed to that position.

Furthermore, Section 393.145.1, RSMo, as amended in Senate Bill 462, provides that the Commission has the option of bringing an action for appointment of receiver either in the Circuit Court of Cole County, or in the circuit court of the county in which the utility company has its principal place of business. The Commission will ask Staff to identify in which county it wishes to proceed.

IT IS THEREFORE ORDERED:

1. That no later than 3:00 p.m. on August 10, 2005, the Commission's Staff shall file a pleading identifying the person that it recommends for appointment as interim receiver for Missouri Utilities Company, and identifying the county in which Staff wishes to file an action for appointment of a receiver for Missouri Utilities Company.
2. That this order shall become effective on August 8, 2005.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Morris Woodruff, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 8th day of August, 2005.