

GREGORY D. WILLIAMS
LAW FIRM

www.williamsandrenken.com

Gregory D. Williams
Andrew W. Renken
Dana L. Martin

August 15, 2006

Colleen M. Dale
Secretary
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

FILED³

AUG 16 2006

Attn: Filing Desk

Re: Case No. WC-2006-0303

Missouri Public
Service Commission

Dear Sirs:


Please find enclosed for filing in the above referenced matter the original and 8 copies of the following:

1. Affidavit in Support of Respondent's Response to Staff's Motion for Summary Disposition
2. Respondent's Response to Staff's Motion for Summary Disposition
3. Respondent's Suggestions in Opposition of Staff's Motion to Summary Disposition

An additional copy is enclosed to be stamped "filed" and returned to me in the enclosed envelop.

If you have any questions regarding this matter, please contact me at your earliest convenience.

Sincerely Yours,


Andrew W. Renken

AWR/jc
enclosures

FILED³

AUG 16 2006

Missouri Public
Service Commission

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service
Commission,

Complainant,

v.

Case No. WC-2006-0303

Hurricane Deck Holding Company, et al.,

Respondents.

RESPONDENT'S RESPONSE TO STAFF'S
MOTION FOR SUMMARY DISPOSITION

Come Now the Respondents in the above captioned matter and for their response
to Staff's Motion for Summary Disposition state:

1. Respondents admit the allegations of Paragraphs 1, 2, 3, 4, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23.
2. Respondents deny the allegations of Paragraph 20 that homeowners were billed for water and sewer services, and affirmatively states that homeowners were assessed their proportionate share of the costs of operation of common amenities of the subdivisions in which they reside, including a water supply and distribution system and a sewer plant and sewer collection system.
3. Respondents further affirmatively state that no funds were received by respondents Hurricane Deck Holding Company, Gregory D. Williams, Debra J. Williams, or Charles H. Williams with respect to the homeowners assessments levied on December 30, 2005.
4. Respondents further affirmatively state that all funds received for homeowners assessments were deposited to the account of Chelsea Rose Land Owners Association, Inc.

5. Respondents affirmatively state that as a result of the filing of litigation by this Commission, all homeowners assessments received by Chelsea Rose Land Owners Association, Inc. were returned to the homeowners pending a resolution of clouds on the title to said water and sewer systems created by litigation filed by this Commission.
6. Respondents affirmatively state that, pursuant to its articles of incorporation, Chelsea Rose Land Owners Association, Inc. is a mutual benefit corporation, not a public benefit corporation, and the scope of its activities as authorized by the State of Missouri is limited to the provision of benefits to its members, and not to the public at large.

WHEREFORE, Respondents move for an Order denying Staff's Motion of Summary Disposition and dismissing the Complaint filed herein, and for their costs, expenses, and attorney's fees herein incurred.




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CERTIFICATE OF SERVICE

I hereby certify that on the ¹⁵~~9~~th day of August, 2006 a true copy of the foregoing was served on all parties of record by depositing the same in first class mail, postage prepaid, and addressed as follows:

General Counsel's Office, P.O. Box 360, 200 Madison Street, Suite 800, Jefferson city,
MO 65102; Lewis R. Mills, Jr., P.O. Box 2230, 200 Madison Street, Suite 650, Jefferson
City, MO 65102.



Gregory D. Williams

