

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

In the Matter of the Joint Application of Public)	
Water Supply District No. 3 of Franklin County,)	
Missouri, and the City of St. Clair, Missouri, for)	<u>Case No. WO-2006-0488</u>
Approval of a Water Service Territorial)	
Agreement in Franklin County, Missouri)	

PROPOSED PROCEDURAL SCHEDULE

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), on its own behalf and on behalf of the City of St. Clair, Missouri ("City") and Public Water Supply District No. 3 of Franklin County, Missouri ("District") (collectively, "the Parties"), and states the following to the Missouri Public Service Commission ("Commission").

1. On June 21, 2006 (unless noted otherwise, all dates hereafter refer to the year 2006), Public Water Supply District No. 3 of Franklin County, Missouri, and the City of St. Clair, Missouri (collectively, the "Joint Applicants"), filed their Joint Application for Approval of a Water and Sanitary Sewer Service Area Territorial Agreement ("Joint Application"). In their Joint Application, the Joint Applicants requested that the Commission approve a Territorial Agreement concerning their respective water and sanitary sewer service territories, which they had executed on May 22 pursuant to the provisions of Section 247.172, RSMo.

2. On June 22, the Commission issued its **Order Directing Notice, Establishing Time for Filing Recommendations, Setting Date for Submission of Intervention Requests and Setting Date for Filing a Procedural Schedule** ("Notice Order") in the instant case. In its Notice Order, the Commission established July 12 as the deadline for the submission of intervention requests, directed the Staff to file its recommendation or a preliminary response to the Joint Application no later than July 12, and established July 19 as the date for the filing of a proposed procedural schedule.

3. No applications to intervene were submitted by the July 12 deadline, nor have any such applications been submitted since that date.

4. On July 12, the Staff filed its Preliminary Response to Joint Application, in which it noted the following: (a) that it had completed its initial review of the Joint Application and had not identified any particular areas of concern regarding the application; (b) that it anticipated the Joint Application would likely be resolved through the filing of a Unanimous Stipulation and Agreement; and (c) that a hearing would not be needed for this case.

5. Subsequent to the filing of the Joint Application, the Parties have discussed the issues involved in this case and have agreed on the following matters: (a) that a unanimous stipulation and agreement (stipulation) resolving this case is likely; (b) that the Parties' stipulation, if one is executed, will include provisions stating the Parties' position that a evidentiary hearing is not necessary for this case; (c) that the Parties' stipulation, if one is executed, will include provisions requesting that the City and the District be allowed to participate by telephone in any hearing ordered by the Commission; and (d) the date for filing the anticipated stipulation.

6. Based upon the above, the Parties hereby propose the following procedural schedule, which will allow the Commission to rule on the Joint Application within 120 days after the filing of the Joint Application, as required by Section 247.172.2, RSMo.

Filing of Stipulation & Agreement August 18

7. If it becomes clear that the Parties will not be able to resolve this case through the execution of a stipulation, the Parties will so advise the Commission at the earliest practicable time and will suggest a date for an evidentiary hearing, with that date to be on or before September 22.

WHEREFORE, on behalf of the Parties, the Staff respectfully requests that the Commission issue an order adopting the procedural schedule set forth above.

Respectfully Submitted,

/s/ Keith R. Krueger

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CERTIFICATE OF SERVICE

I hereby certify that copies of this Preliminary Response have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel and/or parties of record this 19th day of July 2006.

/s/ Keith R. Krueger