

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 26th day  
of October, 2006.

In the Matter of the Application of Hickory Hills Water	)	
& Sewer Co., Inc., the Staff of the Missouri Public	)	
Service Commission, and the Office of the Public	)	
Counsel for Approval of Their Unanimous Stipulation	)	<b><u>Case No. WO-2007-0036</u></b>
and Consent Order for Appointment of Interim	)	
Receiver and Order to General Counsel to Petition	)	
the Circuit Court of Cole County for the Appointment	)	
of a Receiver.	)	

**ORDER ADOPTING PROPOSED COMPENSATION AGREEMENT**

Issue Date: October 26, 2006

Effective Date: November 5, 2006

**Syllabus:** This order adopts the proposed compensation agreement filed by the Commission Staff and Gary V. Cover.

On August 3, 2006, the Commission approved the Unanimous Stipulation and Consent Order for Appointment of Interim Receiver and Order to General Counsel to Petition the Circuit Court of Cole County for the Appointment of a Receiver. That order also directed the Commission's Staff to file a petition in circuit court seeking the appointment of a receiver to take charge of the water and sewer system of Hickory Hills Water & Sewer Co., Inc., and appointed an interim receiver to immediately take charge of that system while Staff's action is pending in the circuit court.

The Stipulation, as well as Subsection 393.145.2, RSMo Supp. 2005, state that the Commission shall determine the compensation to be paid to the interim receiver. In its

order approving the Stipulation, the Commission did not find sufficient evidence in the record to determine what would constitute reasonable compensation for Mr. Cover's duties as interim receiver. To avoid unnecessarily delaying the appointment of the interim receiver, the Commission declined to make a determination on reasonable compensation in its order approving the stipulated agreement. Instead the Commission ordered its Staff to submit a proposed compensation agreement for consideration, and stated that it would make a determination on this issue in a subsequent order.

The Staff and Mr. Cover filed a Proposed Compensation Agreement on September 25, 2006. The Missouri Public Service Commission initially scheduled an on-the-record presentation for October 27, 2006, to address Commission questions regarding the Proposed Compensation Agreement. On October 25, 2006, the Staff filed the verified affidavit of Dale Johansen in support of the Proposed Compensation Agreement. The Commission found that Mr. Johansen's affidavit addressed its questions and canceled the on-the-record presentation.

The Commission has reviewed the Proposed Compensation Agreement and verified supporting affidavit, which are hereby admitted into evidence, and finds the Compensation Agreement to be reasonable.

**IT IS ORDERED THAT:**

1. The Proposed Compensation Agreement filed by the Commission Staff and the interim receiver, Mr. Cover, on September 25, 2006, is approved.

5. This order shall become effective on November 5, 2006.

**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 )

Davis, Chm., Murray, Gaw, Clayton,  
and Appling, CC., concur.

Voss, Regulatory Law Judge