

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

In the matter of the Staff of the Missouri)
Public Service Commission's Request for)
an Appointment of an Interim Receiver and)
for an Order Directing the General Counsel)
to Petition the Circuit Court of Phelps)
County for the Appointment of a Receiver)
for Gladlo Water & Sewer Company, Inc.)

Case No. WO-2009-

**Petition for Interim Receiver and for an Order Directing the General Counsel
to Petition the Circuit Court of Phelps County for the Appointment of a Receiver
for Gladlo Water & Sewer Company, Inc. and
Motion for Expedited Treatment**

COMES NOW the Staff of the Missouri Public Service Commission ("Staff"), and for its
Petition to appoint an interim receiver, authorize a circuit court action, and motion for expedited
treatment states:

1. In the event a water or sewer corporation providing service to less than eight
thousand customers is unable or unwilling to provide safe and adequate service or has been
abandoned, the Commission may, after hearing, order its general counsel to petition the circuit
court for the appointment of a receiver. Section 393.145.1. The Commission may also appoint
an interim receiver to serve until such time as the circuit court determines whether to appoint a
receiver.

2. Gladlo Water & Sewer Company, Inc. ("Gladlo" or "Company") is a Missouri
certificated "public utility," "water corporation" and "sewer corporation" as those terms are
defined in § 386.020 RSMo. Gladlo's registered agent is Thomas A. Lewis, Jr., 90 Circle Dr.
Woodcrest Box 412, Rolla, MO 65401, and Gladlo is located at 2119 Tenbrink Road, Rolla, MO
65401 and 10833 State Route V, Rolla, MO 65401 and P.O. Box 1675, Rolla, MO 65402-1675.
Notice should be provided to these addresses.

3. Gladlo currently serves approximately 65 to 75 customers in the Whispering Pines Subdivision, Phelps County, Missouri.

4. On October 8, 2007, a *Statement of Change of Registered Agent* was filed with the Missouri Secretary of State changing the registered agent from Dennis Ray, former Company president, to Thomas A. Lewis, Jr., current Company president. To the best of Staff's knowledge, the ownership of Gladlo was recently transferred from Dennis Ray to Thomas A. Lewis, Jr. and Thomas A. Lewis, Jr. is the only owner, officer or director of the Company.

5. On November 8, 2007, Gladlo Water & Sewer Co., Inc.'s business status was administratively dissolved by the Missouri Secretary of State for failure to file its 2007 annual registration report.

6. Gladlo has failed to pay its annual assessment to the Commission for the 2008 fiscal year.

7. Gladlo has not sent bills to customers for payment of water services for the last four months. Therefore, Gladlo has not received income for that same time period to manage its costs and will soon be insolvent.

8. Gladlo's electric bill has not been paid for several months. Due to non-payment of Gladlo's bill to Intercounty Electric Coop. the electric service supplying electric generation to the well pump which supplies water to customers may be disconnected at any time. Further complicating this issue is the fact that Gladlo's electric service is still in Dennis Ray's name, the former owner and president of Gladlo, not the current owner.

9. On June 20, 2008, an Application for Transfer of Operating Permit was filed with the Missouri Department of Natural Resources by Dennis E. Ray and Thomas A. Lewis, Jr. recording transfer of ownership to Mr. Lewis, effective since October 8, 2007. However, the

filing fee was returned due to insufficient funds. Therefore, Gladlo is currently operating without a DNR operating permit.

10. Gladlo has failed to provide water samples to the Missouri Department of Natural Resources for June, July and August, 2008.

11. Staff has made many attempts to contact Gladlo and Thomas A. Lewis, Jr. about the operation of the Gladlo system but neither Gladlo nor Mr. Lewis has responded to calls and inquiries. The Gladlo system has been abandoned and the owner is unwilling and unable to operate the system.

12. Staff has contacted potential receivers for Gladlo and will provide the names and contact information for them upon a determination that they are willing to serve.

Motion for Expedited Treatment

13. The Staff asks the Commission to expedite this case and set a hearing by September 30, 2008. The Gladlo system has been abandoned and Gladlo and Mr. Lewis are unable and unwilling to operate the system. Without an operator, system repairs will not be timely made and safe and adequate service is in jeopardy. The Staff filed this pleading as soon as it determined that Gladlo appeared to be abandoned.

WHEREFORE, Staff prays that the Commission enter its order expediting this matter and directing the general counsel to petition the Circuit Court of Phelps County for the appointment of a receiver for Gladlo Water & Sewer Company, Inc., and appointment of an interim receiver to control and be responsible for Gladlo Water & Sewer Company, Inc., until the circuit court makes its determination.

Respectfully submitted,

/s/ **Steven C. Reed**

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