

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service  
Commission held at its office in  
Jefferson City on the 4th day of  
October, 2005.

The Staff of the Missouri Public Service Commission,	)	
	)	
	)	
Complainant,	)	
	)	
v.	)	
	)	
Franklin County Water Company, Inc.,	)	
	)	
Respondent.	)	

**Case No. WC-2006-0061**

**ORDER OF DEFAULT**

Issue Date: October 4, 2005

Effective Date: October 14, 2005

On August 4, 2005, the Staff of the Missouri Public Service Commission filed a complaint against Franklin County Water Company, Inc. Staff stated that the company has not filed its annual reports for 2004 and 2003. Staff informed the Commission that Franklin County Water Company is a water and sewer company as defined in Section 386.020, RSMo 2000, and is therefore subject to the Commission's jurisdiction. Staff further stated that the Missouri Secretary of State's website indicates that the company is in good standing. For its relief, Staff requests that the Commission authorize its General Counsel to bring a penalty action in Circuit Court against the company under Section 386.600. The company has not responded to Staff's complaint.

Section 393.140 (6), RSMo 2000, states that any corporation failing to file its annual report within the time prescribed by the Commission shall be liable to the state of Missouri for \$100 per day for each day it is not timely filed. Commission rule 4 CSR 240-3.335 requires that annual reports be filed no later than April 15 of each year. Commission rule 4 CSR 240-2.070(9) allows the Commission to find in default a Respondent who does not timely answer a complaint. Franklin County has not answered Staff's complaint. The Commission therefore deems the averments set forth by Staff to be admitted by Franklin County and finds the company in default. Having found Franklin County in default, the Commission will authorize its General Counsel to bring a penalty action against the company in Circuit Court.

**IT IS THEREFORE ORDERED:**

1. That the Missouri Public Service Commission's General Counsel is authorized to bring a penalty action as set forth in the body of this order.
2. That this order shall become effective on October 14, 2005.
3. That this case may be closed on October 15, 2005.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

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

Jones, Regulatory Law Judge