

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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| Cathy J. Orler, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | <u>Case No. WC-2006-0082, et al.</u> |
| |) | |
| Folsom Ridge, LLC, Owning and Controlling |) | |
| the Big Island Homeowners Association, |) | |
| |) | |
| Respondents. |) | |

ORDER DENYING MOTION TO QUASH SUBPOENAS AS MOOT

Issue Date: February 6, 2007

Effective Date: February 6, 2007

On February 1, 2007, Big Island Water & Sewer Company, Inc., Folsom Ridge, LLC, and Big Island Homeowners Water and Sewer Association, Inc., filed a motion in this case, as well as in Case No. WA-2006-0480, asking the Commission to quash certain subpoenas directing various persons to appear at a hearing in Case No. WA-2006-0480 that was set to begin on February 5, 2007. The Commission dismissed Case No. WA-2006-0480 on January 26, after the applicant, Big Island Water & Sewer Company, withdrew its application. When the case was dismissed the February 5 hearing was canceled. Since the subpoenas about which the Movants complain direct the subpoenaed witnesses to appear at a canceled hearing, the subpoenas and the motion to quash have been rendered moot.

Case No. WC-2006-0082 has been set for hearing beginning on February 28. If subpoenas are again served on witnesses for that hearing, the Movants are free to file a new motion to quash.

IT IS ORDERED THAT:

1. The Motion to Quash Subpoenas filed by Big Island Water & Sewer Company, Inc., Folsom Ridge, LLC, and Big Island Homeowners Water and Sewer Association, Inc., is denied as moot.
2. This order shall become effective on February 6, 2007.

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)

Morris L. Woodruff, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 6th day of February, 2007.