

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

Dean Leon Fortney,)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-2006-0139</u>
)	
Folsom Ridge, LLC,)	
)	
Respondent.)	

**STAFF SUGGESTIONS REGARDING MOTION FOR MORE DEFINITE
STATEMENT OR ALTERNATIVELY, MOTION FOR ORDER REQUIRING
MEDIATION AND REQUEST FOR PREHEARING CONFERENCE**

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through Counsel, and suggests the following to the Missouri Public Service Commission (Commission).

1. On October 25, 2005, Folsom Ridge, LLC (Folsom Ridge) filed a *Motion for More Definite Statement or Alternatively, Motion for Order Requiring Mediation*.

2. This complaint is one of several filed against Folsom Ridge. Previous requests for mediation have been rejected by the various complainants in other cases.

3. The complainants against Folsom Ridge have filed *pro se*, and their unfamiliarity with the filing process and procedures might require the assistance of Staff to articulate their complaints and issues in terms that would be understandable to all parties.

4. Staff believes that an alternative to Folsom Ridge's Motions would be a prehearing conference, conducted by Staff at the Public Service Commission. If held, this prehearing conference should include all of the complainants against Folsom Ridge

(Cathy J. Orlor, Case No. WC-2006-0082; Ben F. Weir, Case No. WC-2006-0107; Benjamin D. Pugh, Case No. WC-2006-0090; Joseph J. Schrader, WC-2006-0122; Cindy Fortney, Case No. WC-2006-0138; Dean Leon Fortney, Case No. WC-2006-0139; Judy Kentner, Case No. WC-2006-0121; Stan Temares, Case No. WC-2006-0120; and Duane Stoyer, Case No. WC-2006-0129), Folsom Ridge, and Big Island Water and Sewer Association f/k/a Big Island Homeowners Association. The purpose of said conference would be to clarify the issues raised by complainants, determine which of those issues are under the jurisdiction of the Commission, determine the proper parties to the complaints, and develop some milestones that may lead to resolution of the identified issues.

5. Staff has been previously ordered to investigate and file a report in this case by December 19, 2005. Staff respectfully requests that if this request for a prehearing conference is approved that it be scheduled on or before November 18, 2005, to allow Staff time to incorporate the prehearing conference notes and findings into said Staff report.

WHEREFORE, the Staff respectfully submits its *Suggestions* for the Commission's consideration.

Respectfully Submitted,

DANA K. JOYCE
General Counsel

/s/ Mary E. Weston

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing 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 28th day of October 2005.

/s/ Mary E. Weston