

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service Commission,)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-2006-0363</u>
)	
Franklin County Service Company, Melody Lake)	
Water & Sewer LLC, Melody Lake Ranch)	
Associates, Inc., and Gerald Johnson,)	
)	
Respondents.)	

ORDER GRANTING MOTION FOR RECONSIDERATION

Issue Date: November 20, 2006

Effective Date: November 20, 2006

On November 14, 2006, the Missouri Public Service Commission issued an order denying Attorney Jonathan Downard's motion to withdraw as counsel for the above-named Respondents. The Commission primarily denied his request because no other counsel had entered an appearance; leaving Respondents without representation. However, on November 17, 2006, Gordon Rolla Upchurch entered an appearance on behalf of Respondents. Also, on November 17, he filed a motion to reconsider an order denying Attorney Downard's motion to withdraw as counsel.

Commission rule 4 CSR 240-2.040 (6) states that after an attorney has entered an appearance for a party, the attorney may withdraw only by leave of the Commission. Because Attorney Upchurch has entered an appearance for Respondents, the Commission

will grant the motion for reconsideration. Upon reconsideration, the Commission will allow Attorney Downard to withdraw as counsel for Respondents.

IT IS ORDERED THAT:

1. The Motion for Reconsideration, filed by Gordon Rolla Upchurch, is granted.
2. Attorney Jonathan L. Downard is allowed to withdraw as counsel for Respondents.
3. This order shall become effective on November 20, 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)

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 20th day of November, 2006.