

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

The Staff of the)	
Missouri Public Service Commission)	
)	
Complainant,)	
)	Case No. WC-2006-0029
v.)	
)	
Missouri Utilities Company,)	
)	
Respondent.)	

PROGRESS REPORT

COMES NOW the Staff of the Missouri Public Service Commission (Staff), and for its *Progress Report*, states the following to the Missouri Public Service Commission (Commission).

1. On August 30, 2005, the Commission issued an *Order Directing Staff To File A Progress Report*, wherein it ordered that the Staff to ". . . detail its efforts to identify a potential interim receiver for Missouri Utilities Company."

2. In response to the above-referenced order, the Staff offers the following information.

(a) On July 18, Dale Johansen of the Commission's Water & Sewer Department (Staff Member Johansen) contacted a representative of Aqua Missouri (AquaMo) to see if the company would be willing to serve as a receiver for Missouri Utility Company's (MU) water and sewer system. Subsequently, a representative of AquaMo informed Staff Member Johansen that the company was not interested in serving in that capacity. (Mr. Johansen has since learned that AquaMo is considering purchasing the system, but does not currently know the status of its decision-making process regarding that matter.)

(b) On July 18, Staff Member Johansen contacted a representative of Missouri-American Water Company (MAWC) to see if the company would be willing to serve as a receiver for MU's water and sewer system. Mr. Johansen has communicated with representatives of MAWC on several occasions since July 18 regarding this situation, and generally what is expected of a receiver (most recently on August 31), but has not yet received a definite response from MAWC regarding this matter.

- (c) On August 15, Staff Member Johansen contacted the Public Works Director (PWD) of the City of Sedalia (City), Missouri about the possibility of the City serving as a receiver for MU's system. On August 19, as a follow-up to a contact by the City's PWD, Mr. Johansen sent the PWD information regarding this situation and generally what is expected of a receiver. On August 22, the City's PWD informed Mr. Johansen that he would discuss this situation with his superiors. On August 31, Mr. Johansen contacted the City's PWD to see if a decision had been made regarding the City's possible participation. On September 2, the City's PWD and his immediate supervisor contacted Mr. Johansen to discuss this situation and during that conversation informed Mr. Johansen that the City would not act as a receiver for MU's system.
- (d) On August 15, Staff Member Johansen contacted a contract operator at the Lake of the Ozarks known to the Staff about the possibility of serving as a receiver for MU's system. On August 16, the contract operator contacted Mr. Johansen indicating that he might be willing to act as a receiver. On August 19, Mr. Johansen sent information to the contract operator about this situation and generally what is expected of a receiver. On August 31, Mr. Johansen and the contract operator further discussed this situation. As a result of that discussion, Mr. Johansen is preparing information about the system's estimated operating income and expenses to send to the contract operator to further assist him with his decision-making process. Mr. Johansen will continue to correspond with the contract operator until he makes a decision regarding this matter.
- (e) On September 1, Keith Krueger of the Commission's General Counsel's Office discussed this situation and the subject of receiverships in general with a local attorney who has experience acting as a court-appointed receiver in other types of situations. As a follow-up to that discussion, Staff Member Johansen will be contacting that attorney to explain the MU situation and ask him if he is willing to become the receiver for MU's system.

3. In order to keep the Commission informed of Staff's efforts to identify a receiver for MU's system, the Staff commits to filing either a weekly progress report of its efforts or a notice advising the Commission that it has no new information to report, with such filings to be made on Tuesday of each week until this matter is resolved.

WHEREFORE, the Staff submits its *Progress Report* to the Commission as directed.

Respectfully Submitted,

DANA K. JOYCE
General Counsel

/s/ Robert S. Berlin

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been either mailed with first class postage, hand-delivered, transmitted by facsimile or by electronic mail to all counsel and/or parties of record this 6th day of September 2005.

/s/ Robert S. Berlin