

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

Mark S. Liesenfeld,)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-2007-0015</u>
)	
Joe Hybl,)	
)	
Respondent.)	

STAFF’S RESPONSE TO ORDER DIRECTING FILING

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Response to the Commission’s Order Directing Filing respectfully states as follows:

1. On June 28, 2006, Mark S. Liesenfeld (Complainant) filed a formal complaint with the Missouri Public Service Commission (Commission). Complainant sought reimbursement for the cost of installing a private well following disconnection of his water service by Respondent Joe Hybl (Respondent).
2. As directed, Staff filed a report on September 8, 2006. In its report, Staff stated that the connection issue had been addressed by a consent order in effect with Warren County Circuit Court. Staff also stated that the Commission has no authority to order Respondent to pay money damages. Staff concluded that the Commission did not have the authority to grant the monetary relief requested in the Complaint.
3. Because the Commission cannot grant the monetary relief requested by Complainant and because under the terms of the consent order in effect in Warren

County, Respondent must reconnect Complainant's water service if requested to do so,
Staff respectfully recommends that the complaint should be dismissed.

Respectfully submitted,

/s/ Jennifer Heintz

Jennifer Heintz
Assistant General Counsel
Missouri Bar No. 57128

Attorney for the Staff of the
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102
(573) 751-8701 (Telephone)
(573) 751-9285 (Fax)
jennifer.heintz@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel and parties of record this 2nd day of October 2006.

/s/ Jennifer Heintz