

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

The Staff of the Commission,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. WC-2007-0042</u></b>
	)	
Mike Ward,	)	
	)	
Respondent.	)	

**ORDER SETTING PREHEARING CONFERENCE**

Issue Date: December 18, 2007

Effective Date: December 18, 2007

On August 2, 2006, the Staff of the Commission filed a complaint against Mike Ward that alleges that Mr. Ward supplies water to the Stump Hollow Subdivision in Stone County, Missouri without the required certificate of convenience and necessity. Staff asked the Commission to find that Mr. Ward's water service is subject to the Commission's jurisdiction, to find that each day that Mr. Ward provides water without the required certificate is a separate violation of Section 393.170, RSMo,<sup>1</sup> and to authorize the General Counsel to seek penalties against Mr. Ward in circuit court for the above violations.

The Commission held this case in abeyance to allow Staff and Mr. Ward time to negotiate a possible settlement, and to allow time for Staff's action for injunctive relief against Mr. Ward. The efforts to settle have apparently failed, as Staff filed a Motion for Hearing on December 13.

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<sup>1</sup> Unless stated otherwise, all statutory references are to Revised Statutes of Missouri 2000.

The Commission finds that a prehearing conference is now appropriate. The parties or their representatives shall appear in person, or by telephone, at the conference. They should be prepared to discuss the nature of any discovery each will conduct, the time necessary to complete discovery, and to prepare for hearing. The parties should also be prepared to name the witnesses each expects to call at hearing; the number and nature of any exhibits each expects to offer at hearing; and the anticipated length of the hearing. Also, the parties should be prepared to discuss the stipulation of facts not at issue. The parties will also be encouraged to discuss settlement.

If the parties do not resolve their dispute, they shall jointly prepare and file a proposed procedural schedule.

**IT IS ORDERED THAT:**

1. A prehearing conference shall be held on January 9, 2008, beginning at 10:00 a.m., in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. This meeting will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the hearing.
2. Any party wishing to appear by telephone shall notify the Regulatory Law Judge by calling 573-751-7497 no later than 5:00 p.m., January 2, 2008.
3. The parties shall jointly prepare and file a proposed procedural schedule no later than January 16, 2008.

4. This order shall become effective on December 18, 2007.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', is positioned above the printed name.

Colleen M. Dale  
Secretary

(S E A L)

Ronald D. Pridgin, Senior Regulatory Law  
Judge, by delegation of authority under  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 18<sup>th</sup> day of December, 2007.