

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Big Island)
Water & Sewer Company for a Certificate of)
Convenience and Necessity Authorizing It to)
Construct, Install, Own, Operate, Control, Manage) **Case No. WA-2006-0480, et al.**
and Maintain a Water and Sewer System for the)
Public Located in an Unincorporated Area in)
Camden County, Missouri)

ORDER DENYING REQUEST FOR PREHEARING CONFERENCE BUT
ADVISING INTERVENOR TO SEEK SUBPOENA

Issue Date: January 10, 2007

Effective Date: January 10, 2007

On January 4, 2007, Cathy Orler, an intervenor in this case, filed a motion asking the Commission to schedule a prehearing conference for the purpose of compelling witnesses from the Department of Natural Resources to testify at the evidentiary hearing scheduled to begin on February 5. Ms. Orler's motion explains that she has contacted the Department of Natural Resources to arrange for the appearance of witnesses from DNR to testify at the hearing. The motion indicates that counsel for DNR informed Ms. Orler that "the Commission would have to make a ruling on this, to allow for the testimonies of the Department's witnesses."

It is not clear to the Commission what sort of ruling either Ms. Orler or DNR would have the Commission make. The Commission is certainly willing and able to issue any subpoena that the intervenor would need to compel a witness or witnesses from DNR to testify at the hearing. A prehearing conference is not needed to take that action. If

Ms. Orler would like to request the issuance of a subpoena, she may contact the presiding officer by e-mail at morris.woodruff@psc.mo.gov. A blank subpoena form is available on the Commission's website at www.psc.mo.gov/adjudication/forms/subpoena.pdf.

IT IS ORDERED THAT:

1. The request for a prehearing conference to address the testimony of Department of Natural Resources personnel is denied.
2. This order shall become effective on January 10, 2007.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory
Law Judge, by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 10th day of January, 2007.