

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

In the Matter of the Application of Big )  
Island Water and Sewer Company for a )  
Certificate of Convenience and Necessity )  
Authorizing it to Construct, Install, Own, )  
Operate, Control, Manage and Maintain a )  
Water and Sewer System for the Public )  
Located in an Unincorporated Area in )  
Camden County, Missouri )

**Case No. WA-2006-0480**

**STAFF'S MOTION REGARDING GRANTING OF INTERVENOR STATUS TO  
COMPLAINANTS' IN CASE NO. WC-2006-0082**

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff") and states the following:

1. On June 16, 2006, Big Island Water and Sewer Company ("BIWS") filed an Application with the Commission requesting a Certificate of Convenience and Necessity for service authority to provide water and sewer service.

2. On this same date, Folsom Ridge, LLC and Big Island Homeowners Water and Sewer Association, Inc ("Folsom") filed a Motion for an Order Suspending Proceedings ("Motion") in Case No. WC-2006-0082. Folsom's Motion stated that BIWS has entered agreements to acquire the water and sewer system presently serving the Big Island community.

3. The Commission is set to hear Cathy J. Orler, Benjamin D. Pugh, Ben F. Weir, Stan Temares, Joseph Schrader, Judy Kenter, Dean Leon Fortney, and Cindy Fortney, (collectively the "Complainants") cases, in Case No. WC-2006-0082, on July 17 – 21, 2006. Folsom's Motion requests a stay of WC-2006-0082's consolidated complaint proceeding pending approval or denial of the BIWS Application.

4. Staff suggests that the Commission waive intervention rule 4 CSR 240-2.075 for the Complainants in WC-2006-0082, and grant those Complainants Intervenor status in this Application case. Folsom's Motion states (WC-2006-0082, at page 2, 3):

[i]f BIWS's application is approved, and the Respondents contend that it should be, the complaints for all practical purposes under law will be moot, if not rendered null. Furthermore, the procedures under which the Commission will review BIWS's application will provide the better forum in which to address the complainants' issues about the water and sewer systems in place on Big Island.

Folsom's Motion references the Complainants' interest and suggests this Application case as the better forum for review of the Complainants' issues. Therefore, for full review of the WC-2006-0082 Complainants' issues within this Application case, it appears to Staff that the Complainants must first be able to intervene in this case.

5. Further, Staff suggests that the Complainants in WC-2006-0082, as Intervenors in this Application case, would be in a better position to request that the Commission move ahead with the complaint case proceedings if the Application case is unduly delayed.

WHEREFORE, Staff suggests the Commission waive intervention rule 4 CSR 240-2.075 for the Complainants in Case No. WC-2006-0082, and grant these Complainants Intervenor status in this Application case.

Respectfully submitted,

**/s/ Shelley E. Syler**

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### **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 of record this 21<sup>st</sup> day of June 2006.

**/s/ Shelley E. Syler**