

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service Commission,)	
)	
Complainant,)	
v.)	File No. WC-2011-0253, et al.
)	
Dennis Kallash, Individually and as agent)	
for Bennington, Inc., and Bennington Water,)	
Inc.; Toni Kallash, individually and as agent for)	
Bennington, Inc., and Bennington Water, Inc.;)	
Bennington, Inc.; and Bennington Water, Inc.,)	
)	
Respondents.)	

STAFF'S 2nd STATUS REPORT

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and files this *Second Status Report (Status Report)* with the Missouri Public Service Commission (Commission), respectfully stating the following:

1. On February 10, 2011, Staff filed a *Complaint* against Dennis Kallash, Inc., individually and as agent for Bennington, Inc., and Bennington Water, Inc.; Toni Kallash, individually and as agent for Bennington, Inc., and Bennington Water, Inc.; Bennington, Inc.; and Bennington Water, Inc., (Collectively referred to hereafter as "Respondents").
2. On March 17, 2011, Counsel for Respondents filed an *Answer* with the Commission admitting, in part and denying, in part, allegations contained in Staff's *Complaint*.

3. On April 12, 2011, the Commission issued an *Order Granting Motion to Establish Procedural Schedule (Order)*, which includes that Staff will file its Second Status Report on June 6, 2011. This filing is meant to comply with that *Order*.
4. Staff hereby states that the Respondents continue plans to file applications for a Certificate of Convenience and Necessity with the Commission. To this effort, they have filed Articles of Organization with, and received a Certificate of Organization from, the Missouri Secretary of State's office that establish a new company, Lincoln County Sewer & Water, LLC, as a first step in creating an entity that can lawfully operate if Respondents receive a Certificate of Convenience and Necessity from the Commission.
5. At this time, Staff recommends the current procedural schedule remain with no modification.

WHEREFORE, Staff hereby respectfully submits this *Status Report* for the Commission's information and consideration.

Respectfully submitted,

/s/ Rachel M. Lewis

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or by electronic mail to all counsel of record on this 6th day of June, 2011.

/s/ Rachel M. Lewis