

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

The Staff of the Missouri)	
Public Service Commission,)	
)	
Complainant,)	<u>File No. WC-2015-0124</u>
v.)	
TUK, LLC, Louis Mountzoures, and)	
Jonathon Finkelstein,)	
)	
Respondents.)	

**STAFF'S RESPONSE TO TUK, LLC'S
REQUEST FOR MEDIATION AND TO SUSPEND SCHEDULE**

COMES NOW the Staff ("Staff") of the Missouri Public Service Commission and for its response to the *Request for Mediation and to Suspend Schedule* filed herein by Respondents, hereby respectfully states:

1. On November 17, 2014, Staff filed its complaint against Respondents concerning the operation of unauthorized water and sewer utilities.
2. On November 17, 2014, the Commission ordered Respondents to file an answer no later than December 17, 2014. In this order, the Commission indicated that the filing of a complaint requires the Commission to set a hearing before making its decision. As an alternative to the formal evidentiary hearing procedure, the Commission offered mediation and, upon a request for mediation, a suspension of the schedule.
3. On December 15, 2014, Respondents filed their *Request for Mediation and to Suspend Schedule*. In this filing, Respondents indicated that TUK plans to file an application for certificates of convenience and necessity in the near future.

4. On December 17, 2014, the Commission entered an order extending the time for Respondents to file their answer to Staff's complaint, pending the Commission's ruling on the *Request for Mediation and to Suspend Schedule*.

5. Subsequently, on December 18, 2014, the Commission ordered Staff to file a response to Respondent's filing no later than December 29, 2014.

6. Staff does not oppose the request for mediation. However, based on the Company's indications to Staff that it plans to seek certificates of convenience and necessity in the near future, Staff does not believe mediation will be necessary. If the company does file its CCN application, Staff will review and investigate the application and make its recommendation. Until that time, Staff believes it is appropriate to suspend the schedule, as the Commission has already done.

7. In order to ensure that the Company follows through with its plans to file an application for a CCN, Staff believes it is appropriate to give the Company until January 31, 2015 to file its application. If the Company has not filed its CCN application by that date, Staff requests that the Commission establish a mediation schedule.

WHEREFORE, Staff recommends that the Commission suspend the procedural schedule until January 31, 2015 to allow for the Company to file its application for a CCN. If the Company fails to file its application by that date, Staff prays for the Commission to establish a mediation schedule.

Respectfully submitted,

/s/ Marcella L. Mueth

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CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing were served electronically to all counsel of record this 23rd day of December, 2014.

/s/ Marcella L. Mueth