

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

Susan D. Jaeger,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>Case No. WC-2006-0550</u></b>
	)	
Joe Hybl, 2312 Highway "F,"	)	
Wright City, Missouri 63390,	)	
	)	
Respondent.	)	

**ORDER CANCELING EXPEDITED HEARING**

Issue Date: September 18, 2006

Effective Date: September 18, 2006

Susan D. Jaeger filed a complaint against Joseph Hybl on June 27, 2006. In that complaint, Ms. Jaeger claims the water service at her residence, 124-Kit Drive, Wright City, Missouri, was disconnected on May 4, 2006. On August 28, 2006, Mr. Hybl answered the complaint. The Staff of the Missouri Public Service Commission filed its verified investigation report on August 23, 2006.

To resolve the issues in this case expeditiously, the Commission scheduled an evidentiary for hearing on September 20, 2006, to determine if Mr. Hybl is operating as a water utility and if Ms. Jaeger's water service should be immediately restored.

On September 19, 2006, Staff filed a Motion to Cancel Expedited Hearing. In support of its motion Staff stated that the hearing was no longer needed for three reasons. First, Complainant's water service has been restored to Complainant. Second, the Staff filed a formal complaint against Mr. Hybl and the homeowners' association alleging they

were operating a water utility without a certificate of convenience and necessity as required by Section 386.020, RSMo (Supp. 2005).<sup>1</sup> Third, on August 29, 2006, a consent order was entered in the Warren County Circuit Court. As part of the consent order, Respondent agreed to restore Complainant's water service and file for a certificate of convenience and necessity.

The Commission agrees with its Staff that the issues before the Commission in this case will likely be made moot by actions taken in either the complaint or certification case. Further, Complainant's water service has been restored. The Commission finds that the Staff's request to cancel the expedited hearing in this case is reasonable and it will be granted.

**IT IS ORDERED THAT:**

1. The hearing scheduled in this case for September 20, 2006, is canceled.
2. This order shall become effective on September 18, 2006.

**BY THE COMMISSION**



Colleen M. Dale  
Secretary

( S E A L )

Cherlyn Voss, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 18th day of September, 2006.

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<sup>1</sup> Commission Case No. WC-2007-0088.