

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

In the Matter of the Application of Oakbrier)	
Water Company, Inc. for a Certificate of)	
Convenience and Necessity Authorizing it to)	<u>File No. WA-2009-0406</u>
Enlarge and Extend its Service Area and to)	
Construct, Install, Own, Operate, Control,)	
Manage and Maintain a Water System for the)	
Public Located in the Unincorporated Area of)	
Butler County, Missouri.)	

**OFFICE OF THE PUBLIC COUNSEL’S RESPONSE
TO STAFF’S RECOMMENDATION**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response to Staff’s Recommendation states as follows:

1. On May 12, 2009, Oakbrier Water Company, Inc. (Oakbrier) filed an Application and Motion to Expedite Application (Application) seeking a Certificate of Convenience and Necessity (CCN) to expand its current water service territory in and around the subdivision known as Oakbrier Estates, which was previously granted a CCN in Commission Case No. WA-88-128. Oakbrier’s Application requested expedited treatment due to a pending small utility rate case, WR-2009-0229, which includes the proposed expanded service area.
2. On May 27, 2009, the Staff of the Public Service Commission (Staff) filed its Recommendation which requested that the Commission issue an expedited order granting Oakbrier Water Company, Inc. a certificate of convenience and necessity to provide water service to the expanded area in and around the subdivision known as Oakbrier Estates.

3. Public Counsel now states that it has no objection to Staff's recommendation of an expedited order granting Oakbrier Water Company, Inc. a certificate of convenience and necessity in this expanded area.

WHEREFORE, Public Counsel respectfully submits its Response to Staff's Recommendation.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By:_____

Christina L. Baker (#58303)

Senior Public Counsel

PO Box 2230

Jefferson City, MO 65102

(573) 751-5565

(573) 751-5562 FAX

christina.baker@ded.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 29th day of May 2009:

General Counsel Office
Missouri Public Service Commission
200 Madison Street, Suite 800
PO Box 360
Jefferson City MO 65102
GenCounsel@psc.mo.gov

Jaime Ott
General Counsel Office
Missouri Public Service Commission
200 Madison Street, Suite 800
PO Box 360
Jefferson City MO 65102
jaime.ott@psc.mo.gov

Terry C Allen
Oakbrier Water Company, Inc.
PO Box 1702
612 E Capitol Ave
Jefferson City MO 65102
terry@tcallenlawoffices.com

/s/ Christina L. Baker
