

FILED<sup>3</sup>

Missouri Public  
Service Commission

Case No. WA-2006-0480, et al.

COMES NOW the Missouri Department of Natural Resources (Department) and files this Motion to Dismiss the Department as a Party to the above proceedings for the following reasons.

2. On September 22, 2006, the Commission issued its Order Adding the Department of Natural Resources as a Party.

3. According to the September 22, 2006, Order, the Commission did so because it believes the Department may have information that would be helpful to the Commission in considering the Big Island Water & Sewer Company application.

4. The Department will not be filing testimony in this case, does not anticipate

having a position on any issues that will be raised in this case and in general will not be participating in this case as a party in the traditional sense.

5. Consequently, the Department does not believe it is a proper party to these proceedings.

6. If what the Commission is concerned about is making sure Department witnesses are available during relevant portions of the scheduled hearing to answer questions Commission members may have, the Department is certainly willing to commit to having knowledgeable witnesses available as needed.

WHEREFORE, the Department respectfully requests that it be dismissed as a party to the above-case.

Respectfully submitted,

JEREMIAH W. (JAY) NIXON

A handwritten signature in cursive script, appearing to read "Shelley Woods", is written over the printed name.

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### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed, postage prepaid, by United States mail, this 20<sup>th</sup> day of October, 2006, to:

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