

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

Office of the Public Counsel,)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-2007-0038</u>
)	
Central Jefferson County Utilities, Inc.,)	
)	
Respondent.)	

STAFF’S RESPONSE TO ORDER DIRECTING FILING

COMES NOW the Staff of the Missouri Public Service Commission and, for its Response to Order Directing Filing, states to the Missouri Public Service Commission as follows.

On April 11, 2007, the Commission issued its Order Directing Filing in which it ordered the parties to file a pleading, stating whether this case should proceed to hearing or be dismissed.

The Staff does not request that this complaint case be dismissed. However, the Staff does believe that a short continuance would promote administrative efficiency, would not be harmful to the ratepayers, and would be in the best interest of all parties.

On February 8, 2007, the Commission issued its Report and Order in Case No. SO-2007-0071 (“the Asset Transfer Case”), approving the sale and transfer of all of the water and sewer assets of Central Jefferson County Utilities, Inc. to Jefferson County Public Sewer District. If and when that transfer is consummated, the Commission would no longer have jurisdiction over those assets or over Central Jefferson, and it would no longer have jurisdiction to set water and

sewer rates for the customers that Central Jefferson now serves. The issues in this complaint case would therefore become moot.

However, the transfer of assets has not yet been consummated, and Central Jefferson continues to provide water and sewer service to its customers. Consequently, the issues in this case are not yet moot.

The Staff believes, however, that there is a very high likelihood that Central Jefferson will soon complete the transfer of its assets to Jefferson County Public Sewer District. Central Jefferson filed status reports in the Asset Transfer Case on March 9, 2007, and on April 9, 2007. Those status reports indicated that Central Jefferson is taking steps to complete the transfer of its assets, but that the transfer cannot occur until at least May 2. The status reports do not contain any information that makes it appear that the transfer will not occur as planned.

If the Commission holds its hearing in this case on April 30, and the transfer occurs in May, as the Staff believes it will, this complaint case would become moot before the Commission could even issue its report and order in this case. In that event, the hearing on April 30 would be unnecessary and would serve no useful purpose.

The Staff therefore recommends that the case be continued for a short time – perhaps 30 to 60 days – until the Commission can determine whether Central Jefferson will complete the transfer of its assets, as authorized in the Asset Transfer Case.

WHEREFORE, based on the foregoing, the Staff requests that the Commission not dismiss the complaint of the Office of the Public Counsel, but that it continue the hearing for 30 to 60 days, to determine whether Central Jefferson will transfer its assets to Jefferson County Public Sewer District.

Respectfully submitted,

/s/ Keith R. Krueger

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed with first class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel and/or parties of record this 18th day of April 2007.

/s/ Keith R. Krueger