

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

In the matter of the Application of Central)	
Jefferson County Utilities, Inc. for an order)	
authorizing the transfer and assignment)	Case No. SO-2007-0071
of certain water and sewer assets to Jefferson)	
County Public Sewer District and in connection)	
therewith, certain other related transactions.)	

**RESPONSE IN OPPOSITION
TO INTERVENTION REQUEST**

Comes now Central Jefferson County Utilities, Inc. (Central Jefferson), and, in opposition to the Request to Intervene provided by Mr. John Kolisch, states as follows to the Missouri Public Service Commission (Commission):

BACKGROUND

1. On August 15, 2006, Central Jefferson filed its applications seeking authority to transfer and assign certain assets of its water and sewer operations to the Jefferson County Public Sewer District (Sewer District).

2. On August 17, 2006, the Commission added the Missouri Department of Natural Resources and the Jefferson County Public Sewer District as parties to this action, and set an intervention deadline of September 6, 2006. Raintree Plantation Property Owners Association, Inc. filed a timely request to intervene, and was granted intervention.

3. On October 10, 2006, the Commission issued its order establishing a procedural schedule. That order set this matter for a local public hearing on November 6, 2006, and an evidentiary hearing on December 19-20, 2006. The local public hearing was held as scheduled, at which time, Mr. Kolish appeared and testified as a member of

the general public.

OPPOSITION TO REQUEST

4. Mr. Kolisch now asks to intervene as a party in this matter approximately 99 days after the close of the intervention period and only a few days before the evidentiary hearing. His interest in this case as expressed in his request is no different than what he stated at the local public hearing.

5. The Commission's rule concerning intervention requires a finding of good cause in order to grant application for intervention filed after the close of the intervention period. Mr. Kolisch's request does not identify any such good cause.

6. Mr. Kolisch cannot claim that he was not earlier aware of the proceedings as he appeared and testified at the local hearing in this case. (Tr. 10-17). Nor does he complain that his interests now are any different than those already in the record as a result of his testimony at the public hearing. Accordingly, Mr. Kolisch cannot show any prejudice if his request to intervene is denied.

7. On the other hand, the list and order of witnesses has been set for some time in this matter. Mr. Kolisch's addition to the proceeding may delay or prolong those proceedings and prejudice the parties involved.

8. Substantively, Mr. Kolisch's claim that he is owed money by Central Jefferson is a matter of tariff. The Company's tariffs, like many other water and sewer tariffs in Missouri, provide developers refunds as new customers are connected to contributed lines. Because new customers have not been connected to Mr. Kolisch's line (other than those he has already been paid for), Mr. Kolisch's claim is not truly for money owed to him, but instead for money that may be owed to him in the future, if

additional connections are made. Mr. Kolisch started his process in 1990 (Tr. 10, 15). He had the first household hook on to his line in May of 2004 (Tr. 11). Mr. Kolisch states that he has nine sewer hook ups and twelve water hook ups remaining, but that nothing has been built on those lots. (Tr. 14).

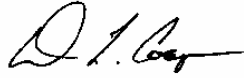
9. Finally, an agreement between the Sewer District and Raintree Plantation, Inc. to be presented to the Commission will indicate that if the transfer is approved and completed, Raintree has agreed to pay the refunds to Mr. Kolisch that would be called for by the existing Central Jefferson tariffs.

10. Mr. Kolisch has testified already as to this subject and been subject to questions from the bench and cross-examination. He has not indicated that he has any matters beyond those to which he has already testified. Accordingly, his request to intervene should be denied as it does not comply with the Commission rules or the scheduling order issued in this case and will result in prejudice to the parties.

WHEREFORE, Central Jefferson respectfully requests that the Commission deny

Mr. Kolisch's request to intervene.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was sent via U.S. Mail or electronic mail on this 18th day of December, 2006, to:

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