

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

In the Matter of the Release of Staff's)
Audit Report Regarding Environmental)
Utilities, L.L.C., and Osage Water Company) Case No. _____

MOTION FOR PROTECTIVE ORDER

COMES NOW the Staff of the Missouri Public Service Commission, by and through the Commission's General Counsel, and for its Motion for Protective Order, states as follows:

1. The Staff of the Missouri Public Service Commission ("Staff") hereby seeks a Protective Order pursuant to Rule 4 CSR 240-2.085(1).

2. Simultaneously with this motion, Staff has filed its Motion to Open Docket and Require Environmental Utilities, L.L.C., to Show Cause Why Staff's Audit Report Should Not be Made Public. Staff seeks a Protective Order so that, pending the Commission's resolution of this matter, Staff's Audit Report that is the subject of this action can be placed in the case file, yet be protected from public disclosure.

3. Rule 4 CSR 240-2.085(1) provides:

Any party seeking a protective order in any case, shall request such by separate pleading denominated "Motion for Protective Order." The pleading shall state with particularity why the moving party seeks protection, and what harm may occur if the information is made public. The pleading shall also include a statement that none of the information for which a claim of confidentiality is made can be found in any format in any other public document.

4. Staff seeks protection only because Environmental Utilities, L.L.C. ("EU"), objects to the public disclosure of the Audit Report. On March 13, 2006, EU through its Registered Agent, Gregory D. Williams, notified Keith R. Krueger of the Commission's Staff

that EU objects to the public release of any of its business information obtained by the Staff during its limited audit referred to above and incorporated into Staff's Audit Report. A true and correct copy of the communication received by Mr. Krueger from Mr. Williams is attached hereto as Exhibit A and is incorporated herein by reference as though fully set out.

5. Staff does not believe that any harm will result if the Audit Report is made public. However, EU evidently does, as is shown by Exhibit A.

6. Staff does not know whether or not any of the information that EU claims is confidential is available in any public document.

WHEREFORE, Staff prays that the Commission will issue its standard Protective Order in this matter; and grant such other and further relief as the Commission deems just in the circumstances.

Respectfully Submitted,

/s/ KEVIN A. THOMPSON

Kevin A. Thompson

General Counsel

Missouri Bar No. 36288

Attorney for the Staff of the

Missouri Public Service Commission

P.O. Box 360

Jefferson City, MO 65102

573-751-6514 (telephone)

573-526-6969 (facsimile)

kevin.thompson@psc.mo.gov

Certificate of Service

The undersigned certifies that a true and correct copy of the foregoing was mailed, postage prepaid, by First Class United States Mail, as set out below, on this 17th day of March, 2006.

Gregory D. Williams, Esq.
Gregory D. Williams Law Firm
P.O. Box 431
Sunrise Beach, Missouri 65079

/s/ KEVIN A. THOMPSON

GREGORY D. WILLIAMS LAW FIRM

www.williamsandrenken.com

Gregory D. Williams
Andrew W. Renken
Dana L. Martin

March 13, 2006

Mr. Keith Krueger
Deputy General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Re: Your Fax of March 10, 2006
Release of Confidential Business Records of Environmental Utilities, LLC

Dear Mr. Krueger:

In response to your faxed inquiry of March 10, 2006, please be advised that Environmental Utilities, LLC will not agree to, and hereby objects, to the release of any information furnished by it to the Public Service Commission, and in particular to its confidential business records as set out in the Staff Report attached to your faxed request.

Your request seems to assume that the Commission may, without notice or hearing, issue an Order authorizing release of this information. I believe it is reasonably clear under Section 386.420.2, that the Commission, not the Staff, is to make a report in writing with respect to any investigation which it conducts, and that it is to provide a hearing and an opportunity to be heard with respect to such investigation prior to issuing any such order.

I note that the Staff Report you have attached appears to contain the opinions and conclusions of some unknown and unidentified person or persons. No hearing has been conducted which would allow the development of a balanced record concerning the issues set forth in that report.

For these reasons, it would be inappropriate, and in excess of the statutory authority of the Commission, for the Commission to issue an Order authorizing release of the information contained in the Staff report attached to your request.

Finally, I note that the Staff report does not reflect the Confession of Judgment executed by the receiver for Osage Water Company, wherein Osage Water Company admitted

P.O. Box 431
Sunrise Beach, MO 65079

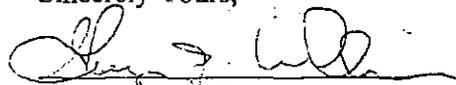
Telephone: 573/374-8761
Fax: 573/374-4432

liability for the water bills at issue and agreed to pay the same, nor does it reflect the Judgment in favor of Environmental Utilities entered on that Confession by the Circuit Court of Camden County. These documents in essence controvert the conclusions and opinions set forth in the Staff report, and render the issues set forth therein moot.

Accordingly, Environmental Utilities objects to any release of the information contained in the Staff report as the same is confidential, proprietary, incomplete, and erroneous.

I trust the foregoing is reasonably clear, but should you require clarification, please contact me, in writing.

Sincerely Yours,



Gregory D. Williams