

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

Cathy J. Orler,	)	
Complainant,	)	
	)	
v.	)	<u>Case No. WC-2006-0082, et al.</u>
	)	
Folsom Ridge, LLC, (Owning and Controlling	)	
the Big Island Homeowners' Association),	)	
Respondents.	)	
	)	
In the Matter of the Application of Folsom	)	
Ridge, LLC., and Big Island Homeowners'	)	
Water and Sewer Association, Inc., for an	)	
Order Authorizing the Transfer and Assignment)	)	<u>Case No. WO-2007-0277</u>
of Certain Water and Sewer Assets to Big	)	
Island Water Company and Big Island Sewer	)	
Company, and in Connection Therewith	)	
Certain Other Related Transactions	)	

**COMPLAINANT'S OFFERING OF INTERVENERS' EVIDENCE TO SUPPORT  
THEIR INTERESTS IDENTIFIED IN THEIR APPLICATIONS AS RESPONSE TO  
RESPONDENTS' RENEWED MOTION TO DISMISS INTERVENING PARTIES**

COMES NOW, Cathy Orler, on her own behalf, to state the following to the  
Commission:

1. On April 30, 2007, the Respondents filed with the Commission, the “Respondents’ Renewed Motion to Dismiss Certain Intervening Parties and Motion to Dismiss Complaints of Nonparticipating Complainants.”

Respondents state in their motion to dismiss: “These parties....failed to offer any evidence in support of the interests they identified in their applications to intervene.”

2. Ms. Orlor resubmits previously submitted Intervener evidence and submits to the Commission, additional documented information as evidence to support, that Interveners did indeed offer evidence to support their interests identified in their applications to intervene.

- a. On or about December 24, 2006. Ms. Orlor filed the “Interveners’ Statement to the Commission Regarding Big Island Water and Sewer Companies’ Continued Request for the Suspension of the Proceedings in this Case.” Attached as exhibits # 1 – 10 of this pleading, were letters under signature from residents, including Interveners, who were very strongly objecting to the 393 Not For Profit Corporations. (Exhibit # 1.)

- b. In a series of E-mails dated January 11 – 29, 2007, between Cindy Fortney, (Complainant and Intervener), Cathy Orlor, (Complainant and Intervener), and Mr. Dale Johansen, (Manager of the Water and Sewer Department of the MPSC), Ms. Fortney and Ms. Orlor request that Mr. Johansen make public, the letters and E-mails he received from Big Island residents and/or Interveners, stating their objections to the 393 Not For Profit Companies, and file as public comments. (Exhibit #2.)

WHEREAS, Ms. Orlor submits to the Commission, an offering of Interveners' evidence to support their interests identified in their applications to intervene, as response to the Respondents' motion to dismiss certain intervening parties.

Respectfully submitted,



Cathy Orlor

### Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via U.S. Mail, on this 7th day of May 2007, postage prepaid to: Mark W. Comley, 601 Monroe Street, Suite 301, P.O. Box 537, Jefferson City, MO. 65102; and Charles E. McElyea, 85 Court Circle, P.O. Box 559, Camdenton, MO. 65020. True and correct copies of this document were also sent via E-Mail on this same date to: General Counsel's Office at [gencounsel@psc.mo.gov](mailto:gencounsel@psc.mo.gov); and Office of Public Counsel at [opcservice@ded.mo.gov](mailto:opcservice@ded.mo.gov).

Copies of this document were sent via E-mail, or U. S. Mail, or hand delivered to:

Pamela Holstead, 3458 Big Island Drive, Roach, MO. 65787  
William T. Foley, II, 15360 Kansas Ave., Bonner Springs, KS. 66012  
Cindy Fortney, 3298 Big Island Drive, Roach, MO. 65787  
Benjamin D. Pugh, 1780 Big Island Drive, Roach, MO. 65787  
Joseph J. Schrader, 1105 Yorktown Pl., DeLand, FL. 32720  
Stan Temares, 1836 Big Island Drive, Roach, MO. 65787  
Sherrie Fields, 3286 Big Island Drive, Roach, MO. 65787  
Tom and Salley Thorpe, 3238 Big Island Drive, Roach, MO. 65787  
Bernadette Sears, Portage Park 3, Lot 10, Big Island Drive, Roach, MO. 65787  
Geary and Mary Mahr, 1886 Big Island Dr., Roach, MO. 65787  
Arthur W. Nelson, 6504 Melody Lane, Parkville, MO. 64152  
Donald J. Weast, 3176 Big Island Drive, Roach, MO. 65787  
Fran Weast, 3176 Big Island Drive, Roach, MO. 65787  
Dean Leon Fortney, P. O. Box 1017, Louisburg, KS. 66053  
Judy Kenter, 1794 Big Island Drive, Roach, MO. 65787  
Ben F. Weir, 3515 SW Meyer Blvd., Blue Springs, MO. 64015

# Exhibit 1-page 1

Cathy J. Orlor

From: "Ben and Karen Pugh" <karben@yhti.net>  
To: <Undisclosed-Recipient:>  
Sent: Saturday, December 16, 2006 12:29 AM  
Subject: Fw: Regulated VS. 393

Exhibit 1

----- Original Message -----

From:  
To:  
Sent: Friday, December 15, 2006 9:27 PM  
Subject: Re: Regulated VS. 303

Hi

IN THE BIG ISLAND FILES I DID FIND A LETTER FROM PAM HOLSTEAD DATED SEPT 19 2006. IN THE LETTER SHE EXPLAINED PSC AND SHE SAID "NO NEED TO MOVE FORWARD IF THE MAJORITY ARE AGAINST THE PROPOSAL" THERE WERE 13 PROPOSED SOLUTION ON HOW IT WOULD BE.

ON PAGE 3 I HAD A CHOICE OF ; YES, I WOULD LIKE TO SEE THE CENTRAL WATER AND SEWER SYSTEMS DEEDED OVER TO 393 CORPORATIONS WHICH INCLUDE THE PROVISIONS OUTLINED BY MRS HOLSTEAD IN HER LETTER TO ME DATED SEPT. 19, 2006

OR

NO, I DO NOT WANT THE CENTRAL WATER AND SEWER SYSTEMS DEEDED OVER TO 393 CORPORATIONS AND WOULD PREFER PSC REGULATION.

LETTER WAS RECEIVED WHEN WE WERE OUT OF TOWN AND I DID NOT RESPOND.

HOWEVER GIVEN THE CHOICES WE WOULD HAVE SAID NO.

THAT'S AS MUCH AS I CAN REMEMBER OR SEE IN THE FILES THAT WE GOT.

LOVE MARY

# Exhibit 1 - page 2

Cathy J. Orler

From: "Ben and Karen Pugh" <karben@yhti.net>  
To: <Undisclosed-Recipient:>  
Sent: Saturday, December 16, 2006 11:13 AM  
Subject: Fw: Missouri Public Service Commission

Exhibit: 2

— Original Message —

From:  
To:  
Sent: Saturday, December 16, 2006 10:00 AM  
Subject: Missouri Public Service Commission

Kindly forward to the above organization.

Gentlemen:

My wife and I are property owners on Big Island. It is important to us that you understand the following facts.

Reference : Pam Holstead

1. She has not contacted us about anything regarding Folsom Ridge utilities.
2. She has not, does not and never will represent us or our interests in any way.
3. We believe that a regulated, certified public utility is the best means of fairly serving all property owners interests in providing water and sewer services.
4. We are completely opposed to a 393 company running the Big Island utilities.

Very truly yours,

Elaine and Bill Foley  
2240 Big Island Drive

# Exhibit 1-page 3

Cathy J. Orlor

From: "sherrie fields" <sfields@tactician.com>  
To: <SPROUT2@aol.com>  
Sent: Saturday, December 16, 2006 6:18 PM  
Subject: FW: 393 Big Island

Exhibit 3

From: sherrie fields [mailto:sfields@tactician.com]  
Sent: Saturday, December 16, 2006 6:13 PM  
To: 'dale.johansen@psc.mo.gov'  
Subject: 393 Big Island

Mr. Johansen,

I am a resident of Big Island Drive in Roach MO and I am writing today to let you know that we are opposed to the 393 proposed by Pam Holstead. We are not members of the BIHOA and we are not currently connected. We do not even have a tap. However, we believe it is in our best interest, should it be necessary to purchase a tap in the future, that the water and sewer utility be a regulated utility. We own two other homes with regulated utility services and believe strongly in the protections afforded by regulation.

It is also important to note that we did receive a letter from Pam Holstead in fall 2006. However, we do not know this person, so we gave the letter very little time or attention and did not respond in any way, particularly because she did not allow enough time to respond - I believe she wanted a response in just one or two days. We certainly did not respond in favor of her proposal. We are only interested in regulated utilities, like we have at our other two homes.

There are several reasons we support a regulated company. Regulation by the PSC gives us a sense of insurance. PSC regulations must be obeyed and are above and beyond those of just the DNR and state of MO statutes especially when it comes to the total implementation/installation plan and execution, billing rates and management of the utility. We are also concerned with the fact that 5 islanders would be on the board. We do not know these five individuals nor do we have any information about their experience is, if any, with utilities operations and management. Without regulation, anything could happen like it has been happening with the BIHOA for the last several years.

Thank you and please feel free to contact me if any further discussion is needed.

Sherrie Fields  
Homeowner  
3286 Big Island Drive  
(816) 478-9223 Hm  
(186) 694-6610 Cell