

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

GERALD & JOANNE REIERSON)	
Complainants)	
)	
vs.)	Case # SC-2005-0083
)	
KENNETH JAEGER & BLUE)	
LAGOON SEWER CORPORATION)	
Respondents)	

MOTION FOR CONTINUANCE

COMES NOW, Respondents, by and through their attorney James F. Lemon, of LEMON and MORROW, LLC and moving for a continuance state as follows:

1. That since this matter was continued to May 18, 2007, additional issues have occurred which affect this case.
2. That in the case State of Missouri v. Jaeger, Case #CV805-12CC, the Judge has considered all matters and has continued the issue of transfer of the system to the Cannon Water Supply District to its' July Law day, which will be held on June 26th.
3. That the Ralls County Circuit court also continued the other issues before the court, including fines, penalties, and required upgrades to the system.
3. That the commission by it's order of April 27th, 2007 ordered the parties to state their position as to the issues raised in the action before the commission.
4. That Respondent's response to that order raises the issue of violation of respondent's due process rights and double jeopardy.
5. That the Commission in its response to that order seems to indicate that as to points 4-7 they are not seeking that enforcement. To the extent this is in error, these points would be in violation

of respondent's due process rights and double jeopardy.

6. That issue 3 requests that the commission make an order regarding matters which Respondents are already under the order of the Circuit Court of Ralls County, Missouri and therefore would be in violation of respondent's due process rights and double jeopardy.

7. That the Circuit Court of Ralls County has set a date certain for Respondents to meet particular requirements regarding upgrades and transfer to a not for profit third party.

8. That justice would best be served to allow Respondents to comply with the Circuit Court of Ralls County's order in the time period provided in that order before moving forward with this case.

9. That complainants would be best served by upgrades being accomplished and a transfer to an appropriate continuing authority such as the Cannon Water Supply District without the need for the PSC to expend additional time on an issue which would thereby become moot.

10. That Respondents respectfully request that the matter be reset to one of the following dates for hearing.

July 6, 10, 13, 18, 20, 24, 25, 27, 31

August 1, 3, 14, 15, 17, 22, 24, 28, 29, 31

Respectfully submitted,

LEMON AND MORROW, LLC

/James F. Lemon/

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ATTORNEY FOR RESPONDENT

CERTIFICATE OF SERVICE

I, James F. Lemon, attorney for the Defendant, do hereby certify that a true copy of the above and foregoing MOTION was served upon all parties of record via email, mail or hand delivery this 9th day of May, 2007.

/James F. Lemon/

James F. Lemon