

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

The Staff of the Missouri Public Service
Commission,)

Complainant,)

v.)

Case No. SC-2010-0161

Box Canyon Watershed Association, Inc.,)

Dream Builders, LLC, Horse Trading, LLC,)

Canyon Treatment Facility, LLC, Super)

Market Merchandising & Supply, Inc.,)

Kandis Davis, Thomas Davis, David)

Sanford, Curtis Butrick, and Kevin Knasel)

Respondents.)

MOTION TO STAY FILING OF ANSWERS

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through the undersigned attorney, and requests that the Missouri Public Service Commission (“Commission”) stay the filing of answers in this case and respectfully states the following:

1. On November 24, 2009, the Staff filed a *Complaint* against the Respondents, which asserted the unlawful provision of sewer service to the public for gain in Stone County, Missouri, without certification or other authority from the Commission.

2. On December 10, 2009, the Staff participated in a discussion with the counsel for Respondents Box Canyon Watershed Association, Inc., Dream Builders, LLC, Horse Trading, LLC, Canyon Treatment Facility, LLC, and Kandis Davis. Ms. Davis, through her counsel, expressed a commitment to apply for a Certificate of Convenience and Necessity (CCN) by January 31, 2010.

3. On December 14, 2009, the Staff requested that the Commission toll the time limitation on the filing of an Answer for all named Respondents in this case to allow Box

Canyon Treatment Facility, LLC (“Canyon Treatment”) sufficient time to prepare and file a complete Application. On December 15, 2009, the Commission granted the motion and stayed the filing of any answers until January, 31, 2010.

4. On January 21, 2010, Canyon Treatment filed an *Application* requesting a CCN to acquire, construct, install, own, operate, control, manage, and/or maintain a sewer system for the public in Stone County, Missouri. As indicated in the Staff’s December 14, 2009 filing, the Staff understands that the *Application* filed in SA-2010-0219 may resolve the matter for all entities named in the *Complaint*.

WHEREFORE the Staff prays for the Commission to stay the filing of answers in this complaint case until further motion and allow this case to remain open until the resolution of the SA-2010-0219 application case filed by Canyon Treatment Facility, LLC.

Respectfully submitted,

/s/Jennifer Hernandez

Jennifer Hernandez

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CERTIFICATE OF SERVICE

I hereby certify that I provided a true and correct copy of this *Motion*, either by first-class mail, electronic mail, facsimile transmission or hand-delivery, to each attorney and/or party of record for the above-captioned case on this 29th day of January 2010.

/s/ Jennifer Hernandez