

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

In the Matter of EMC of St. Charles	)	
County, LLC for a Certificate of	)	
Convenience and Necessity Authorizing	)	
it to Participate in the Ownership,	)	Case No. SA-2007-0373
Operation, Maintenance, Removal,	)	
Replacement, Control and Management	)	
of a Sewer System in St. Charles	)	
County, Missouri.	)	

**RESPONSE TO STAFF RECOMMENDATION**

**COMES NOW** EMC of St. Charles County, LLC (EMC of St. Charles) and, states as follows to the Missouri Public Service Commission (Commission) in response to the Staff Recommendation:

1. On November 2, 2007, the Commission Staff filed its Recommendation in this matter. That Recommendation suggested that EMC of St. Charles be granted its requested certificate, subject to certain listed conditions.

2. EMC of St. Charles has no objection to the Staff Recommendation, to include the listed conditions.

3. The Office of the Public Counsel (Public Counsel) previously filed its Response to Staff Recommendation on November 9, 2007. In that response, the Public Counsel described certain “concerns,” but did not object to the grant of the requested certificate or request a hearing on the matter.


4. EMC of St. Charles believes that at least some part of the Public Counsel Response was the result of a misunderstanding concerning the Staff Recommendation. For example, the “Confidential Contract” referenced in the Public Counsel’s Response was executed

on March 14, 2007, and was provided to Staff on August 14, 2007, in response to a Staff request. It has further been provided to Public Counsel.

5. Because there is no objection to the Staff Recommendation or request for hearing that has been filed, EMC of St. Charles asks that the Commission issue its order granting EMC of St. Charles the requested certificate of convenience and necessity.

**WHEREFORE**, EMC of St. Charles requests the Commission to issue its order granting the requested certificate, subject to the conditions listed in the Staff Recommendation.

Respectfully submitted,



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ATTORNEYS FOR EMC OF ST. CHARLES, LLC

### **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 13<sup>th</sup> day of November, 2007, to:

Kevin Thompson  
General Counsel's Office  
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Christina Baker  
Office of the Public Counsel  
[christina.baker@ded.mo.gov](mailto:christina.baker@ded.mo.gov)



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Dean L. Cooper