

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

In the Matter of Application of Canyon Treatment)	
Facility, LLC for Permission, Approval and a)	
Certificate of Convenience and Necessity)	
Authorizing it to Acquire, Construct, Install, Own,)	<u>Case No. SA-2010-0219</u>
Operate, Control, Manage, and/or Maintain a Sewer)	
System for the Public Located in Stone County,)	
Missouri.)	

**THE OFFICE OF THE PUBLIC COUNSEL’S RESPONSE TO
STAFF’S RECOMMENDATION**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response to Staff’s Recommendation states as follows:

1. On January 21, 2010, Canyon Treatment Facility, L.L.C. (Canyon Treatment) filed an Application for Permission, Approval and a Certificate of Convenience and Necessity (CCN) Authorizing it to Acquire, Construct, Install, Own, Operate, Manage, and/or Maintain a Sewer System for the Public located in Stone County, Missouri.
2. On December 23, 2011, the Staff of the Missouri Public Service Commission (Staff) filed a recommendation in this case with the Missouri Public Service Commission (Commission). In its Recommendation, Staff requests that the Commission grant Canyon Treatment a Certificate of Convenience and Necessity, authorize the Commission Staff to locate an interim receiver to take over the day-to-day operations, and authorize the General Counsel to petition the Circuit Court for the appointment of a receiver. Attachment A to Staff’s Recommendation includes thirteen recommendations by Staff.
3. Public Counsel now states that while it has grave doubts about the viability of Canyon Treatment, Public Counsel will not object to Staff’s request that the Commission grant Canyon

Treatment a Certificate of Convenience and Necessity as long as the Commission also authorizes the Commission Staff to locate an interim receiver as soon as possible to take over the day-to-day operations, authorizes the General Counsel to petition the Circuit Court for the appointment of a receiver, and specifically includes all of the additional recommendations in Appendix A of Staff's Recommendation in the Commission's Order.

WHEREFORE, Public Counsel respectfully submits its response.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By:_____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 29th day of December 2011:

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