

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

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

ORDER DIRECTING FILING

Issue Date: February 22, 2012

Effective Date: February 22, 2012

Canyon Treatment Facility, LLC has filed an application for a Certificate of Convenience and Necessity to operate a sewer system. After its investigation, the Staff of the Commission filed its Memorandum pointing out a number of concerns. Due to those concerns, Staff opines that the company is not qualified to operate a sewer company. Staff then recommends that the Commission both grant a certificate to the company and direct Staff to seek the appointment of an interim receiver. Both the Office of the Public Counsel and the company agree with Staff's recommendation.

Because Staff has made unopposed assertions that the company does not possess the required qualifications to satisfy the Commission's standard for granting the certificate¹, the Commission is unable to make the necessary findings to grant that certificate.

The Commission will therefore direct Staff to file a pleading stating whether there are legal or practical concerns with the Commission first directing Staff to find a receiver. And, in an order appointing that receiver, grant the sought-after certificate. Other parties may also file similar pleadings.

¹ *In re Tartan Energy Company*, 3 Mo.P.S.C. 173, 177 (1994).

THE COMMISSION ORDERS THAT:

1. The Staff of the Commission shall file no later than March 15, 2012, a pleading as described in the body of this order.
2. The remaining parties may file no later than March 15, 2012, a pleading as described in the body of this order.
3. This order shall become effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 22nd day of February, 2012.