

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

**In the Matter of the Request of the Staff)
of the Missouri Public Service)
Commission for an Order Directing the)
General Counsel to Petition the Circuit)
Court of Cole County for the)
Appointment of a Receiver for Rogue)
Creek Utilities, Inc., and for the)
Appointment of an Interim Receiver.)**

Case No. WO-2007-0344

RESPONSE TO ORDER DIRECTING FILING

COMES NOW the Staff of the Missouri Public Service Commission, on its own behalf and on behalf of William J. Rummel, the Office of the Public Counsel, Joe Coleman, and Rita Coleman, being all of the parties to this case who are not in default, and, for its Response to Order Directing Filing, states to the Missouri Public Service Commission as follows.

Procedural Background. On March 31, 2007, the Staff, on behalf of all of the parties in this case who are not in default, filed a Jointly Proposed Procedural Schedule. On June 1, 2007, the Commission issued an Order Directing Filing, in which it ordered the parties to file a List of Issues, Statements of Position, List of Witnesses, and Order of Cross-Examination, by not later than June 11, 2007. The Commission also ordered the parties to submit additional potential hearing dates and to state whether they intend to file a stipulation of fact prior to the hearing.

List of Issues, Statements of Position, List of Witnesses, and Order of Cross-Examination. The parties have today filed with the Commission a document entitled Stipulation and Agreement of All Parties Not in Default and Consent for Appointment of Interim Receiver and for Order Directing the General Counsel to Petition the Circuit Court of Cole County for the Appointment of a Permanent Receiver (“the Stipulation”). The Stipulation resolves all of the

factual and legal issues in this case. There is no need for an evidentiary hearing, and therefore statements of position, a list of witnesses and proposed order of cross-examination are not needed.

Additional Potential Hearing Dates. The parties do not believe that an evidentiary hearing will be necessary to resolve the issues in this case. However, if the Commission believes an evidentiary hearing is necessary, or if the Commission wishes to conduct an on-the-record presentation, the parties would be available for such a hearing or presentation in the afternoons of June 27, July 13, and July 20.

Stipulation of Fact. The parties do not intend to file any stipulation of fact, other than that which has already been filed this date.

WHEREFORE, the Staff, William Rummel, the Public Counsel, Joe Coleman, and Rita Coleman respectfully submit this Response to Order Directing Filing for the Commission's consideration in this case.

Respectfully submitted,

/s/ **Keith R. Krueger**

Keith R. Krueger
Deputy General Counsel
Missouri Bar No. 23857

Attorney for the Staff of the
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65102
(573) 751-4140 (Telephone)
(573) 751-9285 (Fax)
keith.krueger@psc.mo.gov

Certificate of Service

I hereby certify that copies of this Response have been mailed with first-class postage, hand-delivered, transmitted by facsimile or transmitted via e-mail to all counsel and/or parties of record this 11th day of June 2007.

/s/ Keith R. Krueger