

**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.	)	

**OPPOSITION TO MOTION  
FOR ADDITIONAL EXTENSION OF TIME**

**COMES NOW** EMC of St. Charles County, LLC (EMC of St. Charles) and, in opposition to the Staff's Motion for Additional Extension of Time, states as follows to the Missouri Public Service Commission (Commission):

1. EMC of St. Charles filed its Application in this matter on April 4, 2007. The Application stated that certain information required by Commission Rule 4 CSR 240-3.305 would be filed when it was available. This included appendices 3, 4, 5 and 6 to the Application.
2. On April 19, 2007, EMC of St. Charles filed appendices 3, 4 and 5 with the Commission, leaving only Appendix 6 outstanding.
3. On May 31, 2007, the Staff filed a Motion for Extension of Time wherein it noted that EMC had not yet filed Appendix 6 to the Application and indicated that Staff anticipated it could file its recommendation regarding EMC's Application within 45 days after EMC filed Appendix 6 (the feasibility study).
4. EMC filed Appendix 6 on July 25, 2007. Approximately forty-five (45) days thereafter (on September 7, 2007), Staff filed a Motion for Additional Extension of Time asking for an extension until October 15, 2007, to file its recommendation.

4. On October 15, 2007, the Staff filed a second Motion for Additional Extension of Time wherein it requested until November 15, 2007 to file its recommendation. EMC opposes that motion.

5. This Application concerns a new subdivision which is currently ready for the sale of lots and the construction of homes -- the improvements and wastewater treatment system having been completed. The developer is currently unable to sell lots or to build homes pending the certification of some entity to operate the treatment system. Accordingly, time is now of the essence.

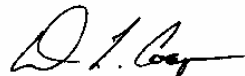
6. EMC understands that the Staff is still requesting and reviewing additional information concerning this matter. However, at this point, an additional thirty (30) day extension seems to be unreasonable.

7. In the alternative, EMC suggests that the Commission grant a two week extension, or until October 29, 2007. Doing so, would provide the Staff with additional time without automatically extending the matter for another full month. EMC received on Tuesday and Wednesday of this week an additional nine data requests. EMC provided answers to those data requests earlier today. EMC will attempt to be similarly responsive to any additional requests that should arise in an effort to move toward a conclusion of this matter.

**WHEREFORE**, EMC of St. Charles requests the Commission deny the Staff's Motion for an Additional Extension of Time and, in the alternative, grant Staff an extension until

October 29, 2007, for the filing of a Staff recommendation.

Respectfully submitted,



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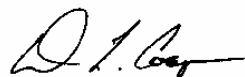
ATTORNEYS FOR EMC OF ST. CHARLES, LLC

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 18<sup>th</sup> day of October, 2007, to:

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