

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

The Staff of the Missouri Public Service Commission,)	
)	
)	
Complainant,)	
)	
v.)	<u>Case No. WC-2007-0452</u>
)	
Suburban Water and Sewer Co. and)	
Gordon Burnam,)	
)	
Respondents.)	

**PUBLIC COUNSEL’S RESPONSE TO CONSOLIDATION OF
CASE NO. WO-2007-0444 AND CASE NO. WC-2007-0452**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Response to Consolidation of Case No. WO-2007-0444 and Case No. WC-2007-0452 states as follows:

1. On May 21, 2007, Public Counsel filed Case No. WO-2007-0444 requesting an investigation and local public hearing regarding the possible resolution of the proposed dissolution of Suburban Water and Sewer Company (Suburban).
2. On May 29, 2007, the Staff of the Missouri Public Service Commission (Staff) filed a Complaint and Motion for Expedited Treatment against Suburban and Gordon Burnam under Case No. WC-2007-0452.
3. On June 4, 2007, the Missouri Public Service Commission (Commission) issued an order consolidating Case No. WO-2007-0444 and Case No. WC-2007-0452.

4. The Code of State Regulations, 4 CSR 240-2.110(3) states: “When pending actions involved related questions of law or fact, the commission may order a joint hearing of any or all the matters at issue, and may make other orders concerning cases before it to avoid unnecessary costs or delay.”

5. Public Counsel agrees that consolidating the cases will avoid unnecessary costs for both the Commission and the customers of Suburban in that it will eliminate the need for duplicating efforts to come to a resolution in this matter.

6. Public Counsel is in agreement with Staff’s position regarding the Complaint against Suburban and Gordon Burnam. Public Counsel also agrees that Staff’s Complaint should be given expedited treatment in order to prevent discontinuance of water service and agrees that any delay could be detrimental to Suburban’s customers.

7. Therefore, while Public Counsel has no opposition to consolidating the cases, Public Counsel would like to request that a local public hearing also be scheduled, and the customers properly notified, on an expedited basis so as to not delay Staff’s request that the Commission hold a hearing in this matter no later than July 20, 2007 and that it issue its decision no later than August 20, 2007.

WHEREFORE, Public Counsel respectfully responds that it has no opposition to consolidating Case No. WO-2007-0444 and Case No. WC-2007-0452, and requests that the Commission schedule a local public hearing and properly notify customers on an expedited basis.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

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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 6th day of June 2007:

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