

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

In the Matter of the Application of Oakview)	
Estates Water & Sewer Company, LLC for)	
a Certificate of Convenience and Necessity)	
Authorizing It to Participate in the Ownership,)	<u>Case No. WA-2007-0201, et al.</u>
Operation, Maintenance, Removal, Replacement,)	
Control and Management of a Water and Sewer)	
Utility in Warren County, Missouri.)	

MOTION TO COMPEL RESPONSE TO DATA REQUEST

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its Motion to Compel Response to Data Request respectfully states as follows:

1. Oakview Estates Water & Sewer Company, LLC filed applications for certificates of convenience and necessity on November 28, 2006.
2. The Missouri Public Service Commission (Commission) ordered Staff to file a recommendation or status report regarding the applications no later than January 29, 2007. Staff timely filed its status report.
3. In reviewing the applications, Staff determined the applications lack significant information required by Commission Rules 4 CSR 240-3.305(1)(A)(5) and 4 CSR 240-3.600(1)(A)(5) and which the Staff needs to make an appropriate and informed recommendation. Staff issued a data request on January 19, 2007 seeking the additional information necessary for Staff's recommendation.
4. Applicant's response to the data request was due on February 13, 2007.
5. To date, Applicant has not responded to the data request.
6. The Commission has ordered Staff to file a second status report no later than May 1, 2007.

7. Concurrent with this motion, Staff has filed a motion certifying its compliance with 4 CSR 240-2.090(8)(A) and its good faith attempts to comply with 4 CSR 240-2.090(8)(B). Staff has requested a waiver of 4 CSR 240-2.090(8)(B) because Staff's attempts to work with Applicant's attorney to set up a conference call have been unsuccessful. Undersigned counsel has on at least two occasions spoken to Applicant's attorney by telephone requesting a return call with availability dates for a conference with the RLJ. Undersigned counsel's last telephone call to Applicant's attorney has not been returned.

8. In order to speed resolution of this case, Staff requests that the Commission order Applicant to respond to Staff's data request no later than May 9, 2007.

WHEREFORE, Staff requests that the Commission issue an order directing Applicant to respond to Staff's data request no later than May 9, 2007.

Respectfully submitted,

/s/ Jennifer Heintz_____

Jennifer Heintz

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel and parties of record this 25th day of April 2007.

/s/ Jennifer Heintz_____