

**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.	)	

**STATUS REPORT**

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and for its Status Report states the following to the Missouri Public Service Commission ("Commission").

1. On November 28, 2006, Oakview Estates Water and Sewer Company, LLC ("Company"), filed applications with the Missouri Public Service Commission, pursuant to Section 393.170, RSMo 2000, requesting that the Commission grant it authority to provide water and sewer service to an unincorporated portion of Warren County, Missouri. The applications were filed in response to Case No. WC-2007-0088 *The Staff of the Missouri Public Service Commission v. Joe Hybl, Oakview Estates Homeowners Association, Jack Hybl, and James Scott Hybl*, which was dismissed on January 11, 2007, due to the filing of the applications in the instant case. The applications were assigned Case Nos. WA-2007-0201 and SA-2007-0200.

2. On December 4, 2006, the Commission issued its **Order Consolidating Cases**, through which it consolidated the two applications, with Case No. WA-2007-0201 being designated the remaining lead case.

3. Also on December 4, 2006, the Commission issued its **Order Directing Notice and Setting Date for Submission of Intervention Requests**, in which it established December 21, 2006 as the deadline for the submission of intervention requests.

4. No requests to intervene in this consolidated case were submitted by the established deadline, nor have any such requests been submitted since.

5. On December 28, 2006, the Commission issued its **Order Directing Filing**, in which it directed the Staff to file its recommendation, or a status report indicating when it expects to file a recommendation, no later than January 29, 2007.

6. The Staff has reviewed the applications that are the subject of this consolidated case and found that they lack significant information that is 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 in order to make an appropriate and informed recommendation.

7. The Staff has made several attempts to contact the Company's attorney via telephone and by letter dated January 2, 2007, but the Company has not provided the required information. As a result, the Staff has submitted Data Request No. 0001 to the Company's attorney in an attempt to obtain the information. The Company's response to this Data Request is due on February 13, 2007.

8. Established internal operating procedures for processing water and/or sewer service area certificate application cases, in which there are no intervenors, call for the Staff to file its recommendation regarding the subject application within sixty days after the intervention deadline. For this case, that would result in a recommendation filing date of February 20, 2007. However, since the Company's response to the Staff's Data Request is not due until February 13, it is clear that the Staff will not be able to meet this normal date for filing its recommendation.

9. Unless otherwise ordered by the Commission, the Staff will file another status report on February 20, 2007 to inform the Commission of when it expects to be able to file its recommendation.

**WHEREFORE**, the Staff respectfully submits this Status Report for the Commission's information in this case.

Respectfully Submitted,

/s/ *Jennifer Heintz*

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of this Status Report 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 29th day of January 2007.

/s/ *Jennifer Heintz*