FILED
Ocotber 1, 2007
Data Center
Missouri Public
Service Commission

Missouri Public Service Commission

Adjudication Division - Data Center P.O. Box 360 Jefferson City, Missouri 65102-0360

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FIRST CLASS



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# OF THE STATE OF MISSOURI

The Staff of the Missouri Public Service Commission,	)
Complainant,	)
v.	) Case No. WC-2008-0079
Universal Utilities, Inc., and Nancy Carol Croasdell,	)
Respondents.	)

## ORDER DENYING STAFF'S MOTION TO REQUIRE RESPONSE TO STAFF'S MOTION FOR EXPEDITED TREATMENT BY OCTOBER 1

Issue Date: September 24, 2007 Effective Date: September 24, 2007

The Staff of the Commission filed a compliant against Universal Utilities, Inc., and Nancy Carol Croasdell on September 13, 2007, alleging that the Respondents are operating a water and sewer utility without a required certificate from this Commission. Along with its complaint, Staff filed a Motion for Expedited Treatment. In that Motion, Staff asked the Commission to expedite its consideration of Staff's complaint and to issue a decision by November 30, 2007.

On September 14, the Commission issued notice of Staff's complaint to the Respondents and ordered them to answer Staff's complaint by October 15. Subsequently, acting on a request of the Office of the Public Counsel, the Commission scheduled a local public hearing in Columbia, Missouri, for October 29.

On September 21, Staff filed what it called a Motion for Clarification. That motion reiterates Staff's request for expedited consideration of its complaint and asks the Commission to order the Respondents and any other party to respond to Staff's motion for expedited treatment by October 1.

Staff's motion is unnecessary, or, at best, premature. Staff's Motion for Expedited Treatment asks only that the Commission issue a decision by November 30. It does not ask the Commission to immediately establish a procedural schedule, nor take any other particular action on an expedited basis. The Commission will have adequate time after the Respondent's file their answer on October 15 to establish a procedural schedule that will allow the Commission to issue a decision by November 30, if it finds it appropriate to do so. The Commission expects the Respondents to address the Motion for Expedited Treatment in their answer and there is no need for the Respondents to file a separate response to that motion before filing their answer. The Commission will not order them to do so.

#### IT IS ORDERED THAT:

Staff's motion that any party wishing to object to Staff's Motion for Expedited
 Treatment be ordered to do so by October 1, 2007, is denied.

2. This order shall become effective on September 24, 2007.

BY THE COMMISSION

Colleen M. Dale Secretary

(SEAL)

Morris L. Woodruff, Deputy Chief Regulatory Law Judge, by delegation of authority under Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri, on this 24<sup>th</sup> day of September, 2007.

#### **STATE OF MISSOURI**

#### OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this  $24^{\rm th}$  of September, 2007.

Colleen M. Dale Secretary

### MISSOURI PUBLIC SERVICE COMMISSION

September 24, 2007

#### Case No. WC-2008-0079

General Counsel's Office

P.O. Box 360

200 Madison Street, Suite 800

Jefferson City, MO 65102

Lewis R. Mills, Jr.

P.O. Box 2230

200 Madison Street, Suite 650

Jefferson City, MO 65102

Nancy Carol Croasdell

Nancy Croasdeli

3472 West Silver Lake

Fenton, MI 48430

Universal Utilities, Inc.

Legal Department

5251 Fenton Road

P. O. Box 18

Fenton, MI 48430

Enclosed find a certified copy of an ORDER in the above-numbered case(s).

Sincerely,

Colleen M. Dale

Secretary