

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

In the Matter of a Proposed Rule(s) to Implement)
the Provisions of Section 393.146, RSMo) Case No. WX-2006-0005

THIRD STATUS REPORT

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

1. On January 4, 2006, the Commission issued its **Order Directing Status Report** in this case, wherein it directed the Staff to file a report regarding the status of the case no later than January 20, 2006.

2. On January 20, 2006, the Staff reported that its progress in developing the rules that are the subject of this case had not been substantial, because of the press of other business, specifically including the various situations involving Osage Water Company and Environmental Utilities, the small company rate case rulemaking project, several small water and sewer company rate increase requests, and several other water and sewer utility cases before the Commission. The Staff further reported that it would continue to work on the subject rules, as time permitted, with the goal of having draft rules available for the Commission to review on or before March 31, 2006.

3. On March 31, 2006, the Staff filed its second status report in this case in which it reported the following: (1) that it had essentially made no additional progress in the development of the rules that are the subject of this case, for the same reasons as noted above from its first status report; (2) that its goal was to have draft rules available for the Commission's review on or before April 28, 2006; and (3) that to the extent its goal of having draft rules available for the Commission's

review by April 28 would not be reached, it would so notify the Commission through the filing of an additional status report.

4. As an update to information provided in Paragraph 3 above, the Staff notes that it has just recently realized that, per the Commission's internal rulemaking procedure, the draft rules it is preparing for this case need to be reviewed and approved by the Division Directors before being provided to the Commission. As a result, the Staff reports that it plans to submit its proposed rules to the Division Directors for their review and approval no later than the regularly-scheduled Division Directors' meeting of May 10, 2006, and possibly in time for the May 3, 2006 meeting.

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

Respectfully Submitted,

/s/ Keith R. Krueger

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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 28th day of April 2006.

/s/ Keith R. Krueger