

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

Forrest L. Hatfield,	)		
	)	Complainant	)
	)		)
v.	)		Case No. WC-2006-0128, et al.
	)		)
Melody Lake Water & Sewer , LLC	)		)
	)	Respondent	)

**STAFF FILING**

**COME NOW** the Staff, of the Missouri Public Service Commission (Commission), and respectfully states the following:

1. On November 30, 2005, Respondent filed its Response to Staff’s Report, wherein among other things, it stated in paragraph 10 “On September 1, 2004, correspondence was sent to the Missouri Public Service Commission advising the Commission of the formation of Melody Lake Water & Sewer LLC, requesting the necessary documents/procedure to effectuate a transfer from Franklin County Service Company to Melody Lake Water & Sewer, LLC. No reply was sent from the Commission.”

2. Staff reviewed its files and was unable to find a copy of said correspondence, but requested and received a copy from Respondent’s counsel. A copy is attached hereto and made a part hereof.

3. Staff has reviewed said correspondence and it appears that the letter was addressed to the Missouri Public Service Commission, using an address for the Missouri Department of Natural Resources (DNR) and the attention line is to Peter Good [sic], who is listed in the State of Missouri Telephone Directory as a DNR employee.

**WHEREFORE**, the Staff respectfully offers this filing to the Commission.

Respectfully submitted,

DANA K. JOYCE  
General Counsel

/s/ Mary E. Weston

Mary E. Weston  
Assistant General Counsel  
Missouri Bar No. 54669

Attorney for the Staff of the  
Missouri Public Service Commission  
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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or e-mailed to all counsel and parties of record this 13<sup>th</sup> day of December 2005.

/s/ Mary E. Weston

HANSEN, STIERBERGER, DOWNARD, MELENBRINK & SCHROEDER

ATTORNEYS AT LAW

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583-5118  
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583-5110

FACSIMILE TRANSMISSION COVER SHEET

TO: Mary Weston

FROM: Atty. Jon Downard

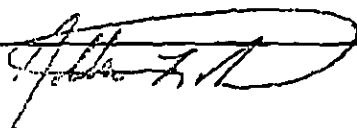
DATE: 12-7-05

TIME: 11:30 AM

NUMBER OF PAGES (INCLUDING COVER SHEET): 3

MESSAGE: re: Melody Lake Water & Sewer - letter of 9/1/04 pursuant to our conversation in Gasconade County court on this date

**RECEIVED**  
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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION



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Attachment

September 1, 2004

Missouri Public Service Commission  
P.O. Box 176  
Jefferson City, MO 65102

Attention: Peter Good

Re: Franklin County Service Company, Licensee  
Purchaser - Melody Lake Water & Sewer LLC  
Location of services - Melody Lake Ranch - Leslie, MO

Greetings:

Please be advised that I represent Melody Lake Water & Sewer LLC. Melody Lake Water & Sewer LLC recently entered into an agreement with the Franklin County Service Company to purchase water and sewer lines located at Melody Lake Ranch subdivision in Leslie, MO. Franklin County Service Company failed to actively maintain or service said lines, both water and sewer, and Melody Lake Ranch Board of Governors expended their own funds to see that the system continued to operate properly and within the DNR regulations in order for the residents to have sewer and water services. In an effort to control the water and sewer system within the subdivision the Board of Governors authorized the creation of a new corporation, Melody Lake Water & Sewer LLC to purchase the water system and sewage system from the old company, Franklin County Service Company. In doing so, the new corporation purchased the assets, however, did not assume the liabilities due to the fact that in large no one is able to ascertain exactly what liabilities there may be since corporate records were not properly maintained by Franklin County Service Company and elections were not held for officers, etc.

It is my understanding that the Public Service Commission is requesting documentation to show proof of transfer. I would appreciate it if you would please contact me and advise as to what documents will be necessary to provide to the Public Service Commission in order to effectuate the transfer from Franklin County Service Company to Melody Lake Water & Sewer LLC.

It has come to my client's attention that Franklin County Service Company apparently was deficient in paying the Water Protection Program annual operating fee and apparently there is now a deficiency in the amount of \$12,674.00 due and owing to the Missouri Department of Natural Resources from Franklin County Service Company. It is also my understanding that the Missouri

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Department of Natural Resources has indicated that the operating license/permit will not be transferred to Melody Lake Water & Sewer LLC due to this deficiency.

Thank you for your courtesy in this matter and I look forward to hearing from you so we may discuss the same.

Sincerely,

HANSEN, STIERBERGER, DOWNARD,  
MELENBRINK & SCHROEDER

BY: \_\_\_\_\_  
Jonathan L. Downard

JLD:mc

cc: Bob White  
Jerry Johnston