

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

The Staff of the Missouri Public Service)	
Commission,)	
)	
Complainant,)	
)	Case No. WC-2022-0295
v.)	SC-2022-0296
)	
I-70 Mobile City, Inc.)	
d/b/a I-70 Mobile City Park)	
)	
Respondent.)	

**MOTION FOR EXTENSION, MOTION FOR ABEYANCE, AND
REQUEST FOR DISCOVERY CONFERENCE**

I-70 Mobile City, Inc., (I-70) by and through counsel, and its Motion for Extension, Motion for Abeyance, and Request for Discovery Conference and states as follows:

Background

1. On April 6, 2021, the Staff of the Commission first reached out to I-70 inquiring about I-70s operations.
2. On June 28, 2021, after discussions between the Complainant and Respondent, the Staff sent a “questionnaire” to I-70 with twenty questions (or essentially, data requests) regarding its operations.
3. Less than a month later, I-70, through counsel Doug Silvius, responded to the twenty questions. Mr. Silvius followed up with a second response to the “questionnaire” on September 8, 2021, including a link to the following documents:

- Copies of water bills and payments and payments ledger to Bates City Water for the park's service for June 2020 to June 2021;
 - Sample forms of communications to tenants for their utility service;
 - Excel Billing Histories for June 2020 to September 2020;
 - Ledgers of Tenant payments from June 2020 to September 2020;
 - Software ledger from Billing program for October 2020 to June 2021;
 - A Summary of I-70 Mobile City billing and payment of water vs. tenant utility services from 5/5/2020-6/5/21.
4. Following the submission of such information, I-70 was not contacted again by the Commission.
 5. In an effort to resolve the "investigation" and move forward, counsel for I-70 (now, Stephanie Bell) called the Commission Staff on December 22, 2021 regarding next steps.
 6. It was not until more than 45 days later, or February 15, 2022, until I-70 was contacted again by the Commission Staff.
 7. On February 23, 2022, representatives of I-70 voluntarily agreed to meet with and did meet with the Commission Staff to go over the questionnaire, documents provided, and questions about its operations.
 8. On April 22, 2022, the Staff filed its Complaint.
 9. On June 3, 2022, Complainant filed its Request for Permission for Entry Upon Land for Inspection.
 10. On June 6, 2022, Complainant submitted thirty-two (32) data requests to Complainant.
 11. Many of the 32 data requests filed in June 2022 include

requests for the same information that was already provided in August and September of 2021.

12. On June 13, 2022, Respondent filed an Objection to Complainant's Request for Permission for Entry Upon Land.

13. On June 16, 2022, the Commission ordered Staff to respond by June 29, 2022.

14. Respondent desires an additional fourteen days to respond to the 32 data requests submitted by Complainant, and in support thereof states that:

- a. Respondent requested a seven-day extension from Complainant to which Complainant would not consent;
- b. Since the data request were served, the President of I-70 has obtained and been reviewing documents to determine which documents are responsive to the discovery requests. Unlike the staff at an investor-owned utility, I-70 does not have a "regulatory staff" to review and process data requests. Having never been regulated by the Commission in the thirty years since it's been in operation, unlike an investor-owned utility, its records are not in formats which are regularly produced and provided to the Commission; and
- c. Respondent can provide such responses on or before July 11, 2022.

15. I-70 also requests the Commission hold in abeyance Complainant's Motion for Protective Order until such discovery is produced, as the same may resolve the Motion.

16. I-70 further requests that Judge Clark hold a discovery

conference at the earliest mutually agreeable time to address these issues in person (or via phone) as permitted by 20 CSR 4240-2.090(8).

17. There is no procedural schedule yet ordered in the case -- a two-week extension for data requests will not delay the proceedings. The hearing in this matter is proposed for mid-October.

WHEREFORE, for the foregoing reasons, I-70 respectfully requests (1) that I-70 be allowed until July 11, 2022 to respond to Staff's data requests, (2) that Respondent's Motion for Protective Order (and Staff's Request for Permission for Entry Upon Land for Inspection) be held in abeyance until after Staff can review the data request responses and determine what necessary information would be gained over and above such responses by an entry upon land; and (3) that Judge Clark schedule a discovery conference via telephone so the parties may attempt to resolve these discovery issues without further order of the Commission.

Respectfully submitted,

ELLINGER & ASSOCIATES, LLC

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon all of the parties of record or their counsel, pursuant to the Service List maintained by the Data Center of the Missouri Public Service Commission on June 28, 2022.

/s/ Stephanie S. Bell
Stephanie S. Bell