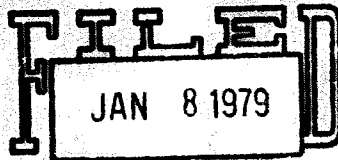


LAW OFFICES OF
LILLEY, COWAN, LOVE & DORAN
SUITE 626 WOODRUFF BUILDING
P. O. BOX 1305, S. E. E.
SPRINGFIELD, MISSOURI 65805

MAX W. LILLEY
LOUIS W. COWAN
GARY A. LOVE
JAMES R. DORAN

January 4, 1979

TELEPHONE
563-0500



PUBLIC SERVICE COMMISSION

RECEIVED

JAN 8 - 1979

PUBLIC SERVICE COMMISSION

Mr. R. Michael Jenkins,
Secretary, Missouri Public Service
Commission
Jefferson City, Missouri 65101

In Re: Case No. W-A 78170

Dear Mr. Jenkins:

Enclosed you will find the original and nine copies of a Motion In Opposition To Application For Continuance for filing on behalf of Ozark Mountain Water Company in the above captioned case.

By copy of this letter, a copy of the enclosed Motion is being sent to Mr. Charles J. Fain, Attorney for Intervenors, and Mr. Gary Duffy, Commission Counsel.

Very truly yours,

LILLEY, COWAN, LOVE & DORAN

By:  James R. Doran

JRD:nlb

Encs.

cc: Mr. Charles J. Fain;
Mr. Gary Duffy

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

Respectfully submitted,

IN THE MATTER OF THE
APPLICATION OF OZARK MOUNTAIN
WATER COMPANY FOR A CERTIFICATE
OF CONVENIENCE AND NECESSITY
FOR THE PURPOSE OF SERVING
WATER

) OZARK MOUNTAIN WATER COMPANY
)
)
) Case No. W-A-78170
) Louis W. Cowan, Jr., Attorney
)

MOTION IN OPPOSITION TO APPLICATION FOR CONTINUANCE

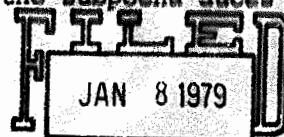
Now Comes now Ozark Mountain Water Company by its attorneys of
Attorneys at Law
record, Lilley, Cowan, Love & Doran, 626 Woodruff Building, Springfield,
Springfield, Missouri
Missouri, and for its Motion In Opposition To Application For
Continuance states:

1. The objections of Turkey Mountain Home Owners Association
Nos. 1 and 2 have been filed for a significant length of time. It
states that the matters and things contained in the foregoing
Previous continuance has occurred herein. Ozark Mountain Water
Company, according to its best information and belief,
Company has expended time and resources in preparation for the
current setting, witnesses for Ozark Mountain Water Company and
attorneys for Ozark Mountain Water Company have arranged their
schedules to the current setting and will find it difficult to
reschedule the hearing or part of the hearing. Additional delay
could prejudice applications with the Department of Housing and
Urban Development. Further, counsel for the Public Service Commission
joins in opposition to this Application for continuance.

2. Ozark Mountain Water Company further objects to intervenors
requesting Motion In Opposition To Application For Continuance upon
request for a subpoena duces tecum to Roger Taylor as stated in
City, Missouri 63101, Attorney for Intervenor, Turkey Mountain
their Application For Continuance. The aforesaid subpoena seeks
information which is irrelevant and immaterial to all issues of
this proceeding. This proceeding is not designed to determine
ownership of the subject system. Interested parties to such a
proceeding are not joined herein. Further, such subpoena seeks
confidential and privileged information which would be burdensome
and oppressive to produce.

3. Ozark Mountain Water Company should not have to honor
such request. The instant case should be dismissed if such subpoena
were issued.

WHEREFORE, Ozark Mountain Water Company prays that the Applica-
tion for continuance be denied herein and that the subpoena duces



PUBLIC SERVICE COMMISSION