

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

MITCH SIMS,

Complainant,

v.

Case No.: WC-2013-0338

MID-AMERICAN WATER COMPANY,

Respondent.

COMPLAINANT'S MOTION FOR DEFAULT

COMES NOW Mitch Sims, Complainant, and files his Motion for Default in this matter, and does state:

1. Complainant filed the Complaint with this Commission on or about December 17, 2012.
2. This Commission issued its Order on December 18, 2013, requiring Respondent to file its Response to the Complaint not later than January 17, 2013.
3. Respondent failed to timely file its Response pursuant to the Order.
4. Respondent is in Default.
5. On January 18, 2013, after the ordered deadline for filing its Response, Respondent filed its Motion for Leave of Court to extend the time in which to file its Response.
6. Due to Complainant's work schedule, and upon arrival at his home after 5:30 PM on January 18, 2013, Complainant received and reviewed his first notice of Respondent's Motion.
7. Complainant immediately drafted his Objection to Respondent's Motion for Leave of Court and this Motion for Default.

8. This Commission is bound to honor Complainant's Objection to Respondent's Motion and subsequently should Grant this Motion for Default and enter its Ruling in favor of Complainant.

THEREFORE, Complainant Mitch Sims, respectfully requests this Commission to Grant Complainant's Motion for Default, and enter its Ruling in favor of Complainant and against Respondent accordingly.

RESPECTFULLY submitted on this 19th day of January, 2013.

By: s/: Mitchell A. Sims
Mitchell A. (Mitch) Sims, Complainant
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document was filed with the Commission, and the following persons, on this 19th day of January, 2013.

Office of General Counsel 200 Madison Street, Suite 800 P.O. Box 360 Jefferson City, MO 65102 GenCounsel@psc.mo.gov	Lewis Mills 200 Madison Street, Suite 650 P.O. Box 2230 Jefferson City, MO 65102 opcservice@ded.mo.gov
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By: s/: Mitchell A. Sims
Mitchell A. (Mitch) Sims, Complainant