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FILED<sup>2</sup>

Missouri Public Service Commission

September 8, 2000

Mr. Dale Hardy Roberts Executive Secretary Public Service Commission Governor State Office Building Jefferson City, MO 65102

**RE:** Case No. EA-2000-308

Dear Mr. Roberts:

Enclosed for filing in the above-referenced proceeding please find an original and eight copies of an unopposed motion to change the date for the filing of surrebuttal testimony in this proceeding.

If you have any questions, please give me a call.

Sincerely yours,

Gary W. Duffy

Enclosures cc w/encl:

John Coffman, Office of Public Counsel Dennis Frey, Office of the General Counsel Mark W. Comley Michael R. Dunbar Dan Watkins

## BEFORE THE PUBLIC SERVICE COMMISSION STATE OF MISSOURI

In the matter of the application of the City of Rolla, Missouri, for an order	)		F/	LED <sup>2</sup>
assigning exclusive service territories and for determination of fair and reasonable	) )	Case No. EA-2000-308	SEP	8 200 <b>0</b>
compensation pursuant to section 386.800 RSMo 1994.	)	Se	Missor rvice C	uri Public ommission

## MOTION FOR EXTENSION OF SURREBUTTAL FILING DATE

Comes now the City of Rolla, Missouri, ("the City"), by and through Rolla Municipal Utilities ("RMU") and its counsel, and for its motion respectfully states as follows:

- 1. RMU seeks an extension of the scheduled filing date for surrebuttal testimony in this proceeding from September 27, 2000 to October 18, 2000. The reason for this extension is that there have been delays by the other parties in responding to data requests propounded by RMU, some of the responses are voluminous, and RMU needs the additional time to evaluate these responses and perhaps conduct additional discovery before assembling its prepared surrebuttal testimony.
- 2. In more particular detail, RMU received the prepared rebuttal testimony of Intercounty Electric Cooperative on or about July 19, 2000, and that of the Southside Neighbors on July 20, 2000. RMU has spent time evaluating that testimony but had numerous questions regarding various aspects of it, and consequently sent data requests regarding that testimony to counsel for the Southside Neighbors and counsel for Intercounty on August 7, 2000. Pursuant to the Commission's rules, responses were due twenty days later on August 27. Responses were not received by RMU until September 1, 2000, from Southside Neighbors and not until late in



the day on September 7, 2000, from Intercounty. The responses from Intercounty were four inches thick, containing numerous engineering type documents which need to be examined in detail.

- As a municipal utility, RMU has limited resources and personnel to evaluate this 3. material and prepare additional discovery or surrebuttal testimony within a short period of time.
- 4. RMU believes the procedural schedule in this case was designed to contain a substantial amount of time between the filing of rebuttal and the hearing to allow for this type of extension if needed. The next procedural event in this case is a local public hearing on October 24, 2000, and RMU intends to file its surrebuttal prior to that event. The hearing in this case is not scheduled to commence until December 4. Therefore, RMU believes that no other party will be prejudiced by the Commission's grant of this extension of time to extend the date for the filing of surrebuttal testimony by all parties.
- Counsel for RMU has contacted counsel for the Staff, Public Counsel, Southside 5. Neighbors, and Intercounty regarding this motion prior to its filing. None of those parties stated an objection to moving the surrebuttal filing date to October 13, 2000.

WHEREFORE, The City moves that the Commission reschedule the filing date for surrebuttal testimony from September 27, 2000 to October 18, 2000.

Respectfully submitted,

Gary W. Duffy

MoBE #24905

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ATTORNEYS FOR THE CITY OF ROLLA, MISSOURI

## **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was mailed or hand-delivered on September 8, 2000, to counsel for all parties of record as shown below.

Gary W. Duffy

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