ECEIVE

CARNAHAN, EVANS, CANTWELL & BROWN, P.C.

Four Corporate Centre, Suite 410 1949 E. Sunshine P.O. Box 10009 G.S.S. Springfield, Missouri 65808-0009 (417) 887-8490 FAX: (417) 887-8935

> E-Mail: cecb@cecb.com Web: http://www.cecb.com

JOHN M. CARNAHAN III, LL.M., TAXATION
WILLIAM E. EVANS, LL.M., TAXATION
C. BRADFORD CANTWELL, LL.M., TAXATION *
CLIFFORD S. BROWN
FRANK C. CARNAHAN, LL.M., TAXATION **
JOSEPH D. SHEPPARD III ***
JULIE T. BROWN
THOMAS D. PEEBLES, JR
JOHN E. PRICE
JENNIFER K. HUCKFELDT, LL.M., TAXATION

JUL 1 7 2001

Adjudication Division

"In Service Commits

DOUGLAS D. LEE, ILLM., TAXATION RODNEY H. NICHOLS DON G. BUSCH, OF COUNSEL JOHN M. CARNAHAN, JR. (1915 - 1998) ALSO ADMITTED IN *FLORIDA

ALSO ADMITTED IN *FLORIDA ALSO ADMITTED IN **OREGON ALSO ADMITTED IN ***TEXAS

July 10, 2001

PERSONAL AND CONFIDENTIAL

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Public Service Commission
State of Missouri
200 Madison Street
Governor's Office Building
Jefferson City, MO 65101

FILED

JUL 1 7 2001

Misseuri Public Service Commission

RE: Case No. SM-2000-608

Dear Mr. Roberts:

Enclosed herewith is an original and eight (8) copies of a Motion by Applicant, Ozark Water and Wastewater Management Co., Inc. to modify the procedural schedule in the above noted case.

As indicated in the Motion, none of the parties before the Commission in this proceeding has any objection to the granting of the Motion.

Yours truly,

Don G. Busch

DGB:sg Enclosures

cc: Ms. Deborah Neff (w/enclosure)

Ms. M. Ruth O'Neill (w/enclosure)

Mr. Cliff Snodgrass (w/enclosure)

Mr. Rodric A. Widger (w/enclosure)

Mr. William G. Todd (w/enclosure)

SLG\611401LT.DHR

C	L	¥	را

BEFORE	THE	PUBLIC	SERVICE	COMMISSION	
•				•	

DEFURE THE PUBLIC SER	VICE COMIN	419210'N
Missouri Public OF THE STATE OF	MISSOURI	j
Missocammia		JUL 1 7 2001 47
	`	No.
In the Matter of the Application of Ozark Water)	V
and Wastewater Management Co., Inc. to Sell)	Adjudication Division
and Transfer Its Franchise, Treatment Plant and)	Con ina Commi-
Substantially All Its Assets to Northern Christian)	Case No. WM-2000-608
County Regional Wastewater Facility, Inc. (a Non)	
Profit Sewer Corporation Under 393.825, RSMo))	

MOTION TO MODIFY PROCEDURAL SCHEDULE

COMES NOW, Ozark Water & Wastewater Management Co., Inc. (OWWM), and respectfully states the following to the Missouri Public Service Commission (the Commission):

- 1. By Order effective March 25, 2001, the Commission issued its Order Granting a Motion to Modify the Procedural Schedule and establishing in this cause a new procedural schedule.
- The Commission's action establishing a new procedural schedule was as the 2. result of a previous Motion by this party to do so in order to give all of the parties more time to discuss recent developments concerning major issues in the matter before the Commission. Since the Commission's granting of the additional time to meet its procedural schedule, there have been a number of developments in the matter including potential treatment of the sewage by the City of Springfield, potential operation of the collection system by the City of Nixa and negotiation with developers in the vicinity of the English Village Sewer Treatment Plant which might have provided additional financing for the project. All of these other discussions appear to have ended up in no agreement for resolving the needs for sewage treatment by a permitted activity in the English Village area. OWWM is now proposing what is considers to be a bare-bone proposal for providing needed

sewage treatment and meeting the requirements of DNR and the sale of the system. In order to give opportunity for this proposal to be considered by the staff of the Public Service Commission, the Office of Public Counsel and the major customers of the system as well as the Intervenors, OWWM submits an additional delay in the procedural schedule is warranted as much as the present procedural schedule would require direct testimony by the Applicant by July 17, 2001. The staff of the Missouri Public Service Commission, the Office of Public Counsel, the Missouri Department of Natural Resources and Familia Limited Partnership d/b/a English Village Mobile Home Community do not oppose this motion, but no one is suggesting the Commission cancel the procedural schedule at this point.

WHEREFORE, OWWM, moves the Commission to delay the procedural schedule once more in this case and move all of the currently scheduled dates by approximately sixty (60) days from the dates now set, or as otherwise as may accommodate the Commission's schedule.

Respectfully Submitted,

Don G. Busch

MO Bar No. 16510

Carnahan, Evans, Cantwell & Brown

1949 E. Sunshine, Suite 4-410

Springfield, MO 65804

417/887-8490 (telephone)

417/887-8935 (facsimile)

dbusch@cecb.com (e-mail)

Attorney for Ozark Water &

Wastewater Management Co., Inc.

SLG\611401MT.MPS July 10, 2001

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 11th day of April, 2001.

Don G. Busch

SLG\611401MT.MPS July 10, 2001

Service List for Case No. WM-2000-608

Deborah Neff Assistant Attorney General P.O. Box 899 Jefferson City, MO 65102

Cliff Snodgrass Senior Counsel Missouri Public Service Commission P.O. Box 360 Jefferson City, MO 65102

William G. Todd P.O. Box 2219 722 W. Center Circle Nixa, MO 65714 M. Ruth O'Neill Assistant Public Counsel P.O. Box 7800 Jefferson City, MO 65102

Rodric A. Widger Andereck, Evans, Milne, Peace & Johnson 1111 S. Glenstone P.O. Box 4929 Springfield, MO 65808-4929