

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

In the Matter of the Application of Co-Mo)
Electric Cooperative for Approval of) Case No. EO-2022-0190
Designated Service Boundaries Within)
Portions of Cooper County, Missouri)

MOTION FOR WAIVER OF 60-DAY NOTICE REQUIREMENT

COMES NOW Co-Mo Electric Cooperative (“Co-Mo”) pursuant to 20 CSR 4240-4.017, who submits this *Motion for Waiver of 60-day Notice Requirement* ("Motion").

20 CSR 4240-4.017 — Waiver of 60-Day Notice Requirement

Co-Mo requests a variance from the 60-day notice requirement of 20 CSR 4240-4.017, which states, in relevant part:

Any person that intends to file a case shall file a notice with the secretary of the commission a minimum of sixty (60) days prior to filing such case....

Pursuant to 20 CSR 4240-4.017(1)(D), waivers of the 60-day notice requirement may be granted for good cause shown. The rule further provides that good cause includes "... a verified declaration from the filing party that it has had no communication with the office of the commission within the prior one hundred fifty (150) days regarding any substantive issue likely to be in the case...."¹ As indicated in the *Affidavit and Verification* attached to this *Motion*, Co-Mo has not had any communication with the office of the commission, as defined in 20 CSR 4240-4.015(10), within the prior 150 days regarding any substantive issue likely to be in this case and circumstances prevented filing the required notice and delaying the filing for sixty (60) days would cause harm.

¹ Pursuant to the Commission’s *Order Waiving 60-Day Notice Requirement* issued on August 1, 2017, in File No. WM-2018-0023, the examples of good cause provided in the rule are not exclusive, and the Commission may find that good cause has been established by other circumstances.

Accordingly, the Cooperative has established good cause for a waiver from the 60-day requirement of 20 CSR 4240-4.017(1).

WHEREFORE, Co-Mo respectfully requests that the Commission grant the requested waiver of the 60-day notice requirement.

Respectfully submitted,

/s/ Megan E. Ray

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail, on January 19, 2022, to the following:

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