

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

In the Matter of the Application Carl Richard)	
Mills d/b/a Carl R. Mills Water Service)	File No. WM-2020-0387
for a Transfer of Assets to the Carriage Oaks)	
Estates Homeowners Association)	

MOTION TO DISMISS

COMES NOW, Derald Morgan, Rick and Cindy Graver, William and Gloria Phipps, and David Lott (“Intervenors”), for its Motion to Dismiss the application of Carl Richard Mills to transfer the water system to Carriage Oaks Estates Homeowners Association, and states:

1. On May 12, 2020, Carl Mills filed an application with the Commission seeking to transfer the water utility asset controlled by the Carl Mills.
2. The document filed by Carl Mills does not comply with the minimum filing requirements necessary to transfer the assets from a regulated utility.
3. Carriage Oaks Estates Homeowners Association is not a nonprofit water company, pursuant to § 393.900, RSMo., *et seq.*
4. Carriage Oaks Estates Homeowners Association is not a party to the application.
5. Based on these deficiencies, the applicant has failed to submit an actionable petition to the Commission.
6. The Commission has the authority to dismiss pleadings where such disposition is not otherwise contrary to law or contrary to public interest.

7. Dismissal is permitted where an applicant submits a deficient application.
8. The public interest is served by such dismissal, as any further consideration of a substantively deficient application only inflicts undue waste of public resources.

WHEREFORE the Intervenor request the Commission DISMISS the application in this case, and for all other relief deemed just and reasonable.

Respectfully submitted,

SCHENEWERK & FINKENBINDER,
ATTORNEYS AT LAW, LLC

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COUNSEL FOR INTERVENORS

CERTIFICATE OF SERVICE

The below signed counsel hereby certifies that a true and accurate copy of the foregoing was sent to all counsel of record via email on June 12, 2020, to the following email addresses:

Mark Johnson [Mark.Johnson@psc.mo.gov];
Jamie Myers [Jamie.Myers@psc.mo.gov];
Missouri Public Service Commission [staffcounsel@psc.mo.gov];
Office of the Public Counsel [opc@opc.mo.gov];
Carl Richard Mills [mrrsykes@aol.com].

The above was also served via U.S. Mail, postage prepaid to the following interested parties on June 12, 2020:

Carriage Oaks Estates Homeowners Association
Legal Department
209 Falling Leaf Court
Reeds Spring, MO 65737

Missouri Department of Natural Resources
Legal Department
PO Box 176
Jefferson City, MO 65102-0176

/s/ Hampton Williams
Hampton Williams