

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

In the Matter of the Application of Quail)	
Run Water and Land Company to Sell Its)	
Stock and Transfer Assets to the Public)	Case No. WM-2002-394
Funding Corporation of the City of Ozark,)	
Missouri.)	

MOTION TO LATE FILE A STAFF RESPONSE

COMES NOW the Staff of the Missouri Public Service Commission (Staff) by and through Counsel and for Staff's Motion to Late File A Staff Response states as follows:

1. On April 4, 2002 the Commission issued an Order directing the Staff to file a pleading on or before April 19, 2002 advising the Commission when Staff would be filing its Memorandum and Recommendation in this case.
2. To the best of Staff's Counsel's knowledge, neither he nor his legal assistant received a copy of the above Order and therefore Counsel was unaware of the directed filing date. Staff members did, however, receive a copy of the Order but inadvertently failed to advise Counsel of the impending filing date.
3. 4 CSR 240-2.050(3) provides that the Commission has the discretion to extend the time of compliance with its Orders and 4 CSR 240-2.050(3)(B) provides that an Order can be complied with at a later than directed date, if the failure to act was the result of "excusable neglect".
4. Staff apologizes to the Commission for not complying with the previous Order and respectfully asks that it be allowed to file a response to the earlier Order within this pleading.

5. Should the Commission grant the Staff's request, Staff would advise the Commission that Staff plans to file its Recommendation in this case on or before May 24, 2002. In the event this deadline cannot be met, Staff will so advise the Commission in a timely manner.

Respectfully submitted,

DANA K. JOYCE
General Counsel

/s/ **Cliff Snodgrass**

Cliff Snodgrass
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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record this 25th day of April, 2002.

/s/ **Cliff Snodgrass**
