

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

Eric C. Larson,)
Complainant)
)
v.)
)
Woodland Manor Water Company, LLC,)
Respondent.)
)

Case No. WC-2011-0409

MOTION TO CONTINUE

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through the undersigned counsel, and for its *Motion to Continue*, states as follows:

1. On June 27, 2011, Eric C. Larson (Larson) filed a formal complaint with the Commission against Woodland Manor Water Company (Woodland Manor).
2. Woodland Manor filed a *Response* to the Complaint on July 21, 2011 and, upon further direction from the Commission, its attorney, Gregory Gibson, entered his appearance and filed an *Answer* on August 5, 2011.
3. On August 30, 2011, a pre-hearing conference was held in which the parties determined that this matter should proceed to hearing with live testimony. This matter is presently set for hearing on November 7 and 8, 2011.
4. At the pre-hearing conference, the regulatory law judge asked Larson whether an LLC was involved in this matter. Larson asserted that the LLC had been dissolved and that the property is owned by Larson and his wife¹.
5. Upon further investigation, Staff is concerned that, despite Larson's sincere belief otherwise, the business Larson runs (Kimberling Oaks Resort) may be an active LLC in the state

¹ Transcript, Volume 1 (August 30, 2011), page 3.

of Missouri. If so, it is Staff's belief that an attorney must be retained to represent the LLC before the Commission and that Kimberling Oaks Resort is a necessary party to this dispute.

6. As a result of its investigation, Staff asks that the hearing scheduled for November 7 and 8, 2011 be continued for ninety (90) days so that Larson may be given the additional time to 1) gather the necessary information to prove that his business is no longer an LLC; 2) alternatively, if his business is still an LLC, a) to take the necessary measure to dissolve the LLC, if he so wishes, or b) to retain an attorney to represent the LLC in this matter.

WHEREFORE, Staff respectfully submits this *Motion to Continue* to the Commission for its information and consideration and further respectfully requests that the Commission issue an Order continuing the scheduled hearing for approximately ninety (90) days; and granting such other and further relief as the Commission deems just.

Respectfully submitted,

/s/ Rachel M. Lewis

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Certificate of Service

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or by electronic mail to all counsel of record on this 24th day of October, 2011.

/s/ Rachel M. Lewis