

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

In the Matter of Missouri American)	
Water Company's Request for)	
Authority to Implement General Rate)	<u>File No. WR-2022-0303</u>
Increase for Water and Sewer Service)	<u>File No. SR-2022-0304</u>
Provided in Missouri Service Areas)	

**MOTION TO FILE CITY OF RIVERSIDE'S STATEMENT OF POSITION
OUT OF TIME**

COMES NOW, the City of Riverside, Missouri ("City"), by and through undersigned Counsel, and respectfully request to file its Statement of Position, attached hereto, and incorporated herein, out of time. In support of this Motion, Riverside offers the following suggestions in support thereof:

1. On August 17, 2022, the Commission issued an Order Setting Procedural Schedule and directed that the deadline for the filing of a Statement of Position would be February 21, 2023.
2. Counsel for the City was immersed in a number of other matters for this and other clients and failed to meet the deadline set by the Commission, and such failure was a genuine mistake and was not the result of any intent to delay or prejudice this proceeding.
3. The granting of this Motion will not harm any of the other parties to this proceeding, as the parties may all reserve the right to take a position based upon the evidence presented at the hearing, and to reserve the right to cross-examine witnesses and file briefs in these matters.
4. The responsibility for filing out of time is purely the fault of the undersigned counsel, not the City.
5. No prejudice will be suffered by MAWC if this Commission grants this Motion and permits the filing of the Statement of Position out of time.

6. As part of its inherent authority, the Commission may grant relief from deadlines or otherwise allow filings out of time when they serve the public interest.

7. Specifically, 20 CSR 4240-2.050(3)(B) authorizes the Commission to allow a filing out of time, “when the failure to act was the result of excusable neglect or for other good cause shown.”

WHEREFORE, for the foregoing reasons, the City of Riverside, Missouri, respectfully requests that the Commission grant its Motion to File its Statement of Position out of time in this matter, and thereby entitle the City to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the arguments, and in all other respects fully participate in this proceeding.

Respectfully submitted,

/s/ Joseph P. Bednar, Jr.

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ATTORNEY FOR CITY OF RIVERSIDE

Certificate of Service

The undersigned hereby certifies that a true and accurate copy of the foregoing document was served via the Public Service Commission's (PSC's) electronic filing system (EFIS), on this 22nd Day of February 2023, upon all individuals, parties, and intervenors and/or their counsel who have entered their appearances in this case on EFIS, and specifically upon the following:

/s/ Joseph P. Bednar, Jr.