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STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 8th  
day of July, 1999.

In the Matter of the Application of Quail Run       )  
Water and Land Company to Sell its Waterworks       )  
and Related Assets to the Public Funding            )  
Corporation of the City of Ozark, Missouri.        )  
Case No. WM-99-27

ORDER SCHEDULING LOCAL HEARING

On July 13, 1998, Quail Run Water and Land Company (Quail Run) and Public Funding Corporation of the City of Ozark, Missouri (City) (jointly, Joint Applicants) filed their *Joint Application* requesting approval of the City's purchase of the waterworks and related assets of Quail Run. On September 25, 1998, Public Counsel filed its *Request for Local Public Hearing*. On January 28, 1999, Joint Applicants filed their *Joint Applicants' Response to Public Counsel's Request for Local Hearing* and stated that they did not oppose the scheduling of a local hearing.

On April 13, 1999, the Commission entered its *Order Scheduling Local Hearing*, establishing May 20, 1999, as the date for the hearing. On May 10, 1999, attorney David N. Appleby (Appleby) filed his *Motion to Withdraw* as counsel for Quail Run. On May 19, 1999, the Commission entered its *Order Denying Motion to Withdraw*, where it denied Appleby's motion to withdraw and ordered him to continue his representation of Quail Run until otherwise ordered. However, because Appleby orally

informed the Commission that he would not appear at the local hearing scheduled for May 20, 1999, the hearing was canceled.

On June 7, 1999, the Commission entered its *Order Setting Deadline for Entry of Appearance of Attorney*, wherein the Commission ordered Quail Run to hire another attorney by July 7, 1999, or face dismissal. In addition, the Commission ordered the parties to file a procedural schedule within twenty (20) days of the entry of appearance of the new attorney for Quail Run. On June 9, 1999, attorney James R. Fossard (Fossard) filed his *Entry of Appearance for Quail Run Water and Land Company*. On June 16, 1999, the Commission entered its *Order Granting Withdrawal of Attorney and Granting Leave to Appear*, allowing Appleby to withdraw as counsel for Quail Run and also allowing Fossard to enter his appearance for Quail Run.

On June 29, 1999, Quail Run, City, the Staff of the Missouri Public Service Commission, and the Office of the Public Counsel (jointly, parties) filed their *Proposed Procedural Schedule*. Parties stated that the document was an abbreviated proposed procedural schedule, limited to suggesting new dates for the local hearing. Parties stated that, in all likelihood, the case would not be contested and only the local hearing will be required. Parties stated that in the unlikely event that the need for an evidentiary hearing developed into a real possibility, the parties would, at such time, file a complete proposed procedural schedule. Finally, the parties suggested several possible dates for the local hearing.

Having considered the parties' motion, the Commission will schedule a local hearing in this matter.

**IT IS THEREFORE ORDERED:**

1. That a local hearing will be held on October 6, 1999, at 6:00 P.M. at the City Council Chambers of the City of Ozark, 205 North First Street, Ozark, Missouri 65721.

2. That Quail Run Water and Land Company shall notify, by letter or billing insert, its customers of the time and place of the local hearing at least ten (10) days prior to the scheduled local hearing date.

3. That anyone with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days before the local hearing at one of the following numbers: Consumer Services Hotline - 1-800-392-4211 or TDD Hotline - 1-800-829-7541.

4. That this order shall become effective on July 20, 1999.

**BY THE COMMISSION**



**Dale Hardy Roberts**  
**Secretary/Chief Regulatory Law Judge**

( S E A L )

Lumpe, Ch., Drainer, Murray, and  
Schemenauer, CC., concur.  
Crumpton, C., absent.

Hopkins, Senior Regulatory Law Judge

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COMMISSION COUNCIL  
PUBLIC SERVICE COMMISSION