

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

Mitch Sims,)	
)	
Complainant,)	
)	Case No. WC-2013-0338
v.)	Small Formal Complaint
)	
Missouri-American Water Company,)	
)	
Respondent.)	

MEMORANDUM IN SUPPORT OF RESPONDENT’S MOTION FOR LEAVE OF COURT

Comes now Respondent Missouri-American Water Company and for its Memorandum in Support its Motion for Leave of Court for five additional days in which to file its responsive pleading states as follows:

On December 18, 2012 the Missouri Public Service Commission issued its order directing Respondent to file an answer to the Complaint or request for mediation no later than January 17, 2013. Counsel for respondent was on vacation over the holidays when the order came in and failed to properly docket the answer due date of January 17, 2013.

The Complaint contains twenty-two separately numbered paragraphs and includes allegations that refer to Aqua Missouri, a non-party. In order to file its responsive pleading, Respondent will need to confer with several individuals within its organization.

Respondent seeks five additional daysⁱ, to Tuesday, January 22, 2013 in which to file its responsive pleading. This request is not presented or maintained for any improper purpose, such as to harass or to unnecessarily delay the overall proceeding or a needless increase in the cost of litigation as set forth in 4 CSR 240-2.080.

Respectfully submitted,

MISSOURI-AMERICAN WATER COMPANY

By: /s/ Timothy W. Luft
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was filed and served electronically this 19th day January, 2013, to:

Mitch A. Sims
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/s/ Timothy W. Luft

ⁱ Which includes a Saturday, Sunday and a Missouri state holiday.