

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

Kim Sullens,)	
)	
Complainant,)	
v.)	<u>File No. SC-2009-0342</u>
)	
Aqua Missouri, Inc.,)	
Respondent.)	

ORDER GRANTING MOTION FOR EXTENSION OF TIME

Issue Date: August 10, 2009

Effective Date: August 10, 2009

This matter has been set for an evidentiary hearing to begin on September 1, 2009. On July 10, Kim Sullens filed an amendment to her complaint. By August 10, Aqua Missouri, Inc. was required to answer the amended complaint. Aqua Missouri, however, filed a Motion for Extension of Time.

In its motion, Aqua Missouri informs the Commission that the parties have reached a complete settlement. Aqua Missouri asks that it be allowed to file its answer to the amended complaint no later than August 31. Aqua also asks that the parties be directed to file the executed agreement no later August 24.

The Commission finds it reasonable that, in light of an agreement, the filing of pleadings other than the agreement should be stayed. Aqua asks that it be allowed to file an answer on August 31. It stands to reason that if the parties file an agreement, then there will be no need to file answer. However, if the agreement is not filed, then the answer will be filed only one day prior to the hearing. Rather, than allowing Aqua to file its answer on the 31st, the Commission will direct Aqua to file on the August 28. Therefore, to the extent that Aqua does not have to file its answer today, August 10, the motion is granted.

Finally, the Staff of the Commission was directed to respond no later than August 10, to Complainant's amended complaint. This date coincided with the due date for Aqua Missouri's answer. The Commission will therefore afford the same treatment to Staff's response as with Aqua answer.

THE COMMISSION ORDERS THAT:

1. Aqua Missouri, Inc.'s request for an extension of time to file its answer to Kim Sullens' amended complaint is granted.
2. Aqua Missouri, Inc. or Kim Sullens shall file an executed settlement agreement no later than August 24, 2009.
3. If the parties do not file an agreement prior to August 28, 2009, then Aqua Missouri, Inc. shall file an answer to the amended complaint on August 28, 2009.
4. The time by which the Staff of the Commission is to file its response to Kim Sullens' amended complaint is extended.
5. If the parties do not file an agreement prior to August 28, 2009, then the Staff of the Commission shall file, no later than August 28, its response to Kim Sullens' amended complaint.
6. This order shall become effective upon issuance.

(S E A L)

Kennard L. Jones, Senior Regulatory
Law Judge, by delegation of authority
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 10th day of August, 2009.

BY THE COMMISSION



Colleen M. Dale
Secretary