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

ANCHOR'S POINT CONDOMINIUM	)	
OWNERS ASSOCIATION, INC.,	)	
Complainant,	)	
Companiant,	)	
<b>v.</b>	)	File No. WC-2020-0048
	)	
TRR MANAGEMENT, LLC;	)	
FRANK J. STEED, JR., d/b/a STEED	)	
COMMUNITIES;	)	
JM LAND HOLDINGS, LLC; TRR TIME	)	
SHARE, LLC; CARROLL JAMES	)	
CHRISTIANSEN; KIMBERLING INN, INC.;	)	
and KIMBERLING PROPERTIES, INC.	)	
	)	
Respondents.	)	
	)	

## **STATUS REPORT**

COMES NOW TRR Management, LLC and the other Respondents, by counsel and state the following for its Status Report.

- 1. On November 9, 2020, Complainant and Respondent filed a Joint Motion to Stay Proceedings and Suspend Procedural Schedule (the "Joint Motion") in this action.
- 2. On November 24, 2020, the Commission entered an Order further staying proceedings and ordering Status Report (the "Order") which the Commission (a) granted the Joint Motion; (b) these cancel the evidentiary hearing set for April 27, 2021; and (c) directed the parties to file a Status Report no later than March 31, 2021.
- 3. In response to the Order's requirement that the parties file a Status Report, the Respondents state as follows:

Parties diligently entered into negotiations to try to settle and resolve the matter outside of this proceeding, as well as the underlying Stone County Court proceeding. The parties

28559-030/1098161

have been unable to reach a settlement agreement and settlement agreement negotiations have stalled. In addition, as noted in the APCOA Report, it has undertaken the goal of completing and operating a new well to serve APCOA members. That has not been completed. Respondents request that the matter, since it has stalled with respect to settlement negotiations, be placed back on the PSC's active docket and set for an evidentiary hearing because water issues continue to exist between the parties, including the proper payment amounts for the water usage. APCOA has admitted continued use of water from Respondents in their Status Report. There continues to be an issue over the value of the services proved to APCOA which must be resolved. Other access issues have arisen during APCOA constructions. Respondents request that the Commission put this on the active docket and enter a new Scheduling Order with respect to this matter.

WHERFORE, based upon the above and foregoing Status Report, Respondents request that the matter be placed on the Commission's active docket and resumed for an evidentiary hearing.

LOWTHER JOHNSON Attorneys at Law, LLC

By: Lee 1 Vivil

Missouri Bar No. 36886

901 St. Louis Street, 20th Floor

Springfield, MO 65806

Telephone:

417-866-7777

Fax:

417-866-1752

lviorel@lowtherjohnson.com Attorney for Defendants

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served by electronic notice and/or United States Mail, First Class postage prepaid, this 26th day of March, 2021, to:

Attorney for Plaintiff
J. Michael Bridges
901 St. Louis Street, Suite 1800
Springfield, MO 65806
michael.bridges@huschblackwell.com

Carroll James Christiansen 299 County Road 4651 Berryville, AR 72616

Kimberling Inn, Inc. 11863 State Highway 13 P.O. Box 159 Kimberling City, MO 65686 Kimberling Properties, Inc. 11863 State Highway 13 P.O. Box 159 Kimberling City, MO 65686

Lee J. Viorel, MO Bar #36886