

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

In the Matter of a Requested Rate Increase )  
For Annual Sewer Operating Revenues by )  
Hickory Hills Water and Sewer )

**Case No. SR-2014-0166**

In the Matter of a Requested Rate Increase )  
For Annual Water Operating Revenues by )  
Hickory Hills Water and Sewer )

**Case No. WR-2014-0167**

**MOTION FOR EXTENSION OF TIME TO FILE TESTIMONY AND  
FOR EXPEDITED TREATMENT**

**COMES NOW** the Staff of the Missouri Public Service Commission, by and through counsel, and for its *Motion for Extension of Time to File Testimony and for Expedited Treatment*, states as follows:

1. On August 27, 2014, the Commission issued its *Order Suspending Tariff, Notice of Contested Case, Notice of Hearing, and Procedural Schedule*, which set the following procedural schedule:

September 10, 2014	Rebuttal Testimony Filed
September 17, 2014	Surrebuttal Testimony Filed (if any)
September 29-October 2, 2014	Hearing
October 15, 2014	Simultaneous Briefs Due

2. According to the schedule set by the Commission on August 27, 2014, rebuttal testimony is due to be filed TODAY.

3. On August 29, 2014, OPC moved to amend the procedural schedule, proposing alternative dates.

4. On September 8, 2014, the Receiver moved to reschedule the hearing, explaining that he would be out of the country and thus unable to participate either according to the procedural schedule set by the Commission or the alternative schedule proposed by OPC.

5. On September 9, 2014, Staff on behalf of all parties moved the Commission to waive the requirement of its Rule 4 CSR 240-3.050(24) that this case be finally resolved with 11 months of its commencement on December 2, 2013, and proposed the below amended procedural schedule:

September 26, 2014	Rebuttal Testimony filed
October 10, 2014	Surrebuttal Testimony filed (if any)
October 15, 2014	List of Issues, List and Order of Witnesses, Order of Opening and Order of Cross, filed
October 17, 2014	Statement of Positions
October 22-October 23, 2014	Hearing
November 15, 2014	Simultaneous Briefs due

6. Also on September 9, 2014, the Commission issued its *Order Setting Time to Respond*, in which it proposed yet another procedural schedule, as follows:

September 10, 2014	Rebuttal Testimony Filed
September 17, 2014	Surrebuttal Testimony Filed (if any)
September 26, 2014	Hearing
October 15, 2014	Simultaneous Briefs Due

7. The Commission's order of September 9, 2014, also set September 12, 2014, as the deadline for responses to both the Receiver's *Motion to Reschedule*

*Evidentiary Hearing and Motion for Corresponding Change in Scheduling Order* and the Commission's own proposal to reschedule the hearing to September 26, 2014.

8. Staff objects to the proposal to reschedule the hearing to September 26, 2014, because, as is evident from the Receiver's above-mentioned motion, he would thereby be deprived of any meaningful opportunity to prepare a brief by October 15, 2014, because he will be out of the country from October 1 to October 14, 2014. Neither the requirements of due process nor the fundamental fairness required of administrative adjudications would be served thereby.

9. Because of the significant uncertainty now attending the procedural schedule in this matter, Staff now moves for an extension of time to file rebuttal and surrebuttal testimony herein, until a new procedural schedule has been established.

10. Because rebuttal testimony is due TODAY, Staff moves for expedited treatment of this motion.

**WHEREFORE**, Staff prays that the Commission will grant an extension of time to file rebuttal and surrebuttal testimony herein, until a new procedural schedule has been established; and will take up and grant this motion in an expedited fashion; and will grant such other and further relief as is just in the circumstances.

Respectfully submitted,

**/s/ Kevin A. Thompson**

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed with first-class postage, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this **10<sup>th</sup> day of September, 2014.**

**/s/ Kevin A. Thompson**