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

In the Matter of the Application of)
Gary L. Smith d/b/a Incline Water &)
Sewer Company to Sell and Transfer)
its Franchise, Works or System to) **Case No. WA-96-449**
Warren County Water and Sewer Company,)
a Missouri Corporation, and to Expand)
its Operating Area, and for Such Other)
Related Matters.)

**ORDER ESTABLISHING DEADLINE FOR FILING STIPULATION
AND AGREEMENT OR REVISED PROCEDURAL SCHEDULE
AND SUSPENDING DEADLINE FOR RESPONSES**

On November 5, 1997, the Trustees of Incline Village (Trustees) filed a motion to suspend procedural schedule and establish deadline for filing stipulation or revised procedural schedule. The Trustees state that the Applicant¹ and the Trustees are presently engaged in settlement negotiations in an attempt to settle and resolve the issues before the Commission in this proceeding. The parties are in the process of reducing their settlement negotiations to a Settlement Agreement and Stipulation. Trustees state that it would be inefficient and potentially counterproductive to prepare and file responses to Applicant's pending motions while at the same time negotiating and drafting a Settlement Agreement and Stipulation. Trustees request that the Commission suspend the procedural schedule and response deadline until December 3 and that the Commission further establish a deadline of December 3 for filing a

¹The applicant in this case is Gary L. Smith, d/b/a Incline Water & Sewer Co.

stipulation or a revised procedural schedule. Trustees state that all of the parties to this docket have expressed their consent to this request.

The Commission has reviewed the motion and determines that the relief requested is reasonable and that it should be granted.

IT IS THEREFORE ORDERED:

1. That the Motion to Suspend Procedural Schedule and Establish Deadline for Filing Stipulation or Revised Procedural Schedule filed by the Trustees of Incline Village on November 5, 1997, is granted.

2. That the procedural schedule in this case is suspended and the hearing set for December 1, 2 and 3, 1997, is canceled.

3. That the parties shall file a stipulation and agreement or revised proposed procedural schedule no later than December 3, 1997.

4. That this order shall become effective on November 10, 1997.

BY THE COMMISSION



**Cecil I. Wright
Executive Secretary**

(S E A L)

Thomas H. Luckenbill, Deputy Chief
Regulatory Law Judge, by delegation
of authority pursuant to 4 CSR 240-2.120(1),
(November 30, 1995) and Section 386.240,
RSMo 1994.

Dated at Jefferson City, Missouri,
on this 10th day of November, 1997.