

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

In the Matter of Carl R. Mills Trust for a)
Certificate of Convenience and Necessity)
Authorizing it to Install, Own, Acquire,)
Construct, Operate, Control, Manage and)
Maintain Water Systems in Carriage Oaks)
Estates)

File No. WA-2018-0370

MOTION FOR EXTENSION

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”) and for its *Motion for Extension (Motion)* resulting from continuing difficulty completing a Staff Recommendation, states as follows:

1. On April 12, 2018, the Commission issued a *Report and Order*, in Case No. WC-2017-0037. In relevant part, that *Report and Order* found and ordered:

Carl Mills is a person who owns a utility devoted to the public use, and operated for gain. Therefore, *Carl Mills* is a water corporation as defined by Section 386.020(59) RSMo. and is therefore subject to the Commission’s jurisdiction.

* * *

THE COMMISSION ORDERS THAT:

1. Any transfers of water assets made without Missouri Public Service Commission approval are void.

2. *Carl Mills* shall apply to the Missouri Public Service Commission for a Certificate of Convenience and Necessity. (Emphasis added.)

2. On June 7, 2018, the *Carl R. Mills Trust* (“Applicant”, emphasis added) filed an *Application* with the Commission requesting a Certificate of Convenience and Necessity for Applicant to construct, install, own, operate, control, manage and maintain a water system in the Branson West area in Stone County, Missouri.

3. On June 8, 2018, the Commission issued an *Order Directing Notice and Setting Intervention Deadline* (the “*June 8 Order*”) allowing interested persons wishing to intervene until June 29, 2018, to file a motion to intervene in this matter. On June 29, 2018, Derald Morgan, Rick and Cindy Graver, William and Gloria Phipps, and David Lott filed an *Application to Intervene*; said *Application to Intervene* was granted on July 10, 2018.

4. On August 6, 2018, Staff filed a pleading stating it would file a Staff Recommendation regarding the *Application* by no later than September 20, 2018. The Commission subsequently issued an order directing Staff to file its Recommendation on September 20, 2018.

5. While Staff has been working with the Applicant’s counsel to conduct its audit and investigation, the development of a recommendation has been challenging. At this time, without further information and investigation, it is unclear whether Mr. Mills is complying with the letter and purpose of the Commission’s *Report and Order*. Staff is awaiting further information regarding the ownership and control of the utility assets, and is working with the limited documentation available to make a recommendation.

6. As a result, Staff respectfully seeks an additional three weeks, until Thursday, October 11, 2018, to receive more information from the Applicant and Mr. Carl Mills, and to complete its investigation and recommendation.

WHEREFORE, Staff respectfully requests the Commission grant an extension to Thursday, October 11, 2018, and grant any further relief that is just and reasonable.

Respectfully submitted,

/s/ Jacob T. Westen

Jacob T. Westen
Deputy Counsel
Missouri Bar No. 65265

P.O. Box 360
Jefferson City, MO 65102
573-751-5472 (Voice)
573-751-9285 (Fax)
jacob.westen@psc.mo.gov

Attorney for the Staff of the
Missouri Public Service Commission

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all parties and or counsel of record on this 19th day of September, 2018.

/s/ Jacob T. Westen