

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

In the Matter of Missouri-American Water)
Company’s Application for a Certificate of)
Convenience and Necessity Authorizing it to)
Install, Own, Acquire, Construct, Operate,)
Control, Manage and Maintain a Water and)
Sewer System in an area of Pettis County,)
Missouri (Monsees Lake Estates)
Subdivision))

Case No. WA-2022-0229

MOTION FOR EXTENSION

COMES NOW the Office of the Public Counsel (the “OPC”) and in response to the Public Service Commission of the State of Missouri’s (the “Commission”) Order Directing Responses (the “June 10, 2022 Order”) (Doc. 11) and pursuant to 20 CSR 4240-2.050(3)(A) respectfully states:

The OPC has recently received and is currently reviewing the workpapers underlying the Staff of the Commission’s (“Staff”) Recommendation. (Doc. 10). The OPC requires additional time to complete its review. Therefore, the OPC requests a one-week extension of time, until June 28, 2022, to file its Response to Staff’s Recommendation.

I. Background

On February 25, 2022, Missouri-American Water Company (“MAWC”) filed an Application and Motion for Waiver seeking a “Certificate of Convenience and Necessity (CCN) to install, own, acquire, construct, operate, control, manage and maintain a water system and sewer system in Pettis County, Missouri in a subdivision known as Monsees Lake Estates Subdivision.” (Appl. ¶ 1, Doc. 1).

On March 1, 2022, the Commission issued its Order Directing Notice, Setting Deadline for Intervention Requests, and Directing Filing of Staff Recommendation. (Doc. 2). Approximately three weeks later, on March 25, 2022, MAWC filed a Motion For Leave to Amend Application

and Amendment to the Application, which the Commission granted on April 8, 2022. (Docs. 6–7).

On June 9, 2022, Staff filed its Recommendation, recommending that the Commission issue MAWC the requested CCN, subject to certain, identified conditions. (Doc. 10). The next day, June 10, 2022, the Commission ordered that “any party that wishes to respond to Staff’s recommendation, or request a hearing, shall do so on or before June 21, 2022.” (June 10, 2022 Order 1, Doc. 11). On June 21, 2022, MAWC filed its Response to Staff Recommendation. (Doc. 12).

II. Legal Authority

The Commission’s Rule addressing computation of time provides a standard by which the Commission may grant an extension of time. Specifically, 20 CSR 4240-2.050(3) states:

When an act is required or allowed to be done by order or rule of the commission at or within a specified time, the commission may—

- (A) Order the period enlarged before the expiration of the period originally prescribed or as extended by a previous order; or
- (B) After the expiration of the specified period, permit the act to be done where the failure to act was the result of excusable neglect or for other good cause shown.

III. Analysis

Before a deadline has passed, the Commission may “[o]rder the period enlarged.” 20 CSR 4240-2.050(3)(A). In its June 10, 2022 Order, the Commission ordered responses to Staff’s Recommendation be filed no later than June 21, 2022. (Doc. 11). The OPC’s response deadline has not passed. Because the OPC has recently received the workpapers underlying Staff’s Recommendation and requires additional time to review those workpapers, the OPC requests that the Commission enlarge the period of time to respond to Staff’s Recommendation by an additional seven (7) days, until June 28, 2022.

IV. Conclusion

WHEREFORE, the Office of the Public Counsel respectfully requests that the Commission enlarge the time to respond to Staff's Recommendation by seven (7) days, until June 28, 2022.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that copies of the forgoing have been mailed, emailed, or hand-delivered to all counsel of record this 21st day of June 2022.

/s/ Lindsay VanGerpen