

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

In the Matter of the Joint Application of        )  
Moore Bend Water Company, Inc. and        )  
Moore Bend Water Utility, LLC for        )        File No. WM-2012-0335  
Authority of Moore Bend Water Company,    )  
Inc. to Sell Certain Assets to Moore Bend    )  
Water Utility, LLC.                                )

**NOTICE REGARDING DISPUTED FACTS**

COMES NOW the Office of the Public Counsel (Public Counsel) on behalf of the Parties to this case and presents this Notice Regarding Disputed Facts stating as follows:

1. On April 11, 2012, Moore Bend Water Company, Inc. (Moore Bend) and Moore Bend Water Utility, LLC (MBU) filed a Joint Application with the Missouri Public Service Commission (Commission) requesting authority for Moore Bend to sell certain assets to MBU.
2. On July 9, 2012, the Staff of the Missouri Public Service Commission (Staff) filed its Recommendation asking that the Commission approve the Joint Application subject to certain recommendations.
3. On August 14, 2012, Public Counsel requested that the Commission schedule an evidentiary hearing in this matter to determine if the transfer is in the public interest.
4. On January 25, 2013, the Commission directed the parties to file a list of disputed facts no later than February 6, 2013. The Commission stated that Public Counsel is to be responsible for this filing. The Commission granted an extension of time to February 8, 2013, to file the list of disputed facts.
5. The Parties to this case have determined that there are no disputed facts in this case.

6. However, the question remains that given the issue of legal access to the well sites, is the transfer in the public interest?

7. Therefore, the Parties request that the Commission order the parties to file a Joint Stipulation of Non-Disputed Material Facts, and thereafter a briefing schedule, and oral argument if the Commission prefers.

**WHEREFORE**, Public Counsel respectfully submits this Notice.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

**/s/ Christina L. Baker**

By: \_\_\_\_\_

Christina L. Baker (#58303)

Deputy Public Counsel

P O Box 2230

Jefferson City, MO 65102

(573) 751-5565

(573) 751-5562 FAX

[christina.baker@ded.mo.gov](mailto:christina.baker@ded.mo.gov)

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 8<sup>th</sup> day of February 2013:

**Missouri Public Service Commission**

Kevin Thompson  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
Kevin.Thompson@psc.mo.gov

**Missouri Public Service Commission**

Office General Counsel  
200 Madison Street, Suite 800  
P.O. Box 360  
Jefferson City, MO 65102  
staffcounsel@psc.mo.gov

**Moore Bend Water Utility, LLC**

David Wieland  
1548 E Primrose  
Springfield, MO 65804  
rachel@wielandlaw.com

**/s/ Christina L. Baker**

---