

**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.                                )

**THE OFFICE OF THE PUBLIC COUNSEL’S REQUEST  
FOR EVIDENTIARY HEARING**

COMES NOW the Office of the Public Counsel (Public Counsel) and for its Request for Evidentiary Hearing states 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. A review of the assets to be acquired revealed that there was no mention of the transfer of the real property where the two wells are located, nor was there any documentation that legal access in the form of easements to the well sites is being transferred to MBU. To this date, no proof of legal access to the well sites has been provided.
3. It is Public Counsel’s position that the lack of legal access to the wells would greatly affect the utility’s ability to provide safe and adequate service and as a result the proposed transfer is not in the public interest.
4. Therefore, Public Counsel requests that the Commission schedule an evidentiary hearing in this matter to determine if the transfer is in the public interest.

**WHEREFORE**, Public Counsel respectfully submits its Request for Evidentiary Hearing.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

**/s/ Christina L. Baker**

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

Christina L. Baker (#58303)  
Senior Public Counsel  
P O Box 2230  
Jefferson City, MO 65102  
(573) 751-5565  
(573) 751-5562 FAX  
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 14<sup>th</sup> day of August 2012:

**Missouri Public Service Commission**

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

**Missouri Public Service Commission**

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

**Moore Bend Water Utility, LLC**

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

**/s/ Christina L. Baker**

\_\_\_\_\_