

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

ROB LEE,)	
)	
Complainant,)	
)	
v.)	File No. WC-2009-0277
)	
MISSOURI AMERICAN)	
WATER COMPANY,)	
)	
Respondent.)	

Order Scheduling Argument on Motion to Compel

Issue Date: May 4, 2009

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The Missouri Public Service Commission is granting Missouri American Water Company's request for oral argument on Rob Lee's Motion to Compel.

On April 21, 2009, Mr. Lee filed a Motion to Compel. In that motion, Mr. Lee's seeks further responses to his discovery from MAWC, so Staff has filed no response. MAWC filed its response to the motion and requested oral argument.

Oral argument is within the Commission's discretion to grant or deny:

The commission or presiding officer shall determine whether the parties may file briefs or present oral argument, or both, in any case.^[1]

Also:

A presiding officer shall have the duty . . . to take appropriate action to avoid unnecessary delay in the disposition of cases, to maintain order, and shall possess all powers necessary to that end. The presiding officer may take action

¹ 4 CSR 240-2.140(1).

as may be necessary and appropriate to the discharge of duties, consistent with the statutory authority or other authorities under which the commission functions and with the rules and policies of the commission.^{2]}

The material before the Commission is not sufficient to fully support a ruling, so the Commission grants MAWC's requests for oral argument.

THE COMMISSION ORDERS THAT:

1. The request for oral argument as to the Motion to Compel is granted. The regulatory law judge assigned to this case shall hear oral argument on the Motion to Compel in Room 305 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri at 9:30 a.m., on May 7, 2009.

2. To participate in the pre-hearing conference, any party shall, personally or through counsel, appear at the time and place set forth in ordered paragraph 1:

- a. In person; or
 - b. By telephone as set forth in ordered paragraph 3.
3. Any party appearing by telephone, shall call:
- a. [526-5808](tel:526-5808) for persons in Jefferson City, Missouri; or
 - b. [866-630-9351](tel:866-630-9351) for persons outside Jefferson City, Missouri.

4. The hearing will be held in a building that meets accessibility standards required by the Americans with Disabilities Act. Any person who needs additional accommodations to participate in the pre-hearing conference shall alert the Public Service Commission before the hearing by calling the Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711.

² 4 CSR 240-2.120(1).

5. This order shall become effective immediately on issuance.

BY THE COMMISSION

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written in a cursive style.

Colleen M. Dale
Secretary

(S E A L)

Jordan, Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 4th day of May 2009.