

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

The Staff of the Missouri Public  
Service Commission,

Complainant,

v.

Hurricane Deck Holding Company, Chelsea  
Rose Land Owners Association, Inc., Gregory D.  
Williams, Debra J. Williams, and Charles H.  
Williams,

Respondents.

**Case No. WC-2006-0303**

**ORDER DENYING MOTION TO SHORTEN TIME FOR RESPONSE TO**  
**MOTION TO STRIKE**

Issue Date: April 6, 2006

Effective Date: April 6, 2006

On April 3, 2006, the Respondents filed a pleading entitled Request for Admissions that asked the Commission's Staff, the complainant in this matter, to admit to seventeen statements of fact. On April 4, Staff filed a motion to strike the Request for Admissions from the case file. Staff does not ask that the request for admissions be disallowed and indicates that it will respond to them. Instead, Staff contends that under Supreme Court Rule 59.01, the Request for Admissions should have been served on Staff, but not filed with the Commission as part of the case file.

Along with its Motion to Strike, Staff also filed a Motion for Expedited Treatment. That motion urges the Commission to rule upon the Motion to Strike as promptly as possible. Further, it asks the Commission to shorten the time allowed for the filing of a response to its Motion to Strike from the customary ten days to seven days.

Commission Rule 4 CSR 240-2.080(15) provides that parties are to be allowed not more than ten days from the date of filing in which to respond to any pleading unless otherwise ordered by the Commission. Since Staff's Motion to Strike was filed on April 4, any response to that motion would be due by April 14. Staff asks that the time for response be shortened to seven days, making the response due by April 11.

Staff's motion does not explain why its motion to strike is so urgent that the Respondents' time to respond should be restricted. The only harm that could possibly be avoided by shortening the response time is that what Staff contends is an improper pleading would remain in the case file for three extra days. Staff has not demonstrated that the continued presence of the offending pleading in the case file will cause any additional harm if not removed three days sooner.

Staff's Motion for Expedited Treatment provides no justification for shortening the response time and it will be denied.

**IT IS ORDERED THAT:**

1. Staff's motion to shorten response time from ten days to seven days is denied.

2. This order shall become effective on April 6, 2006.

**BY THE COMMISSION**

A handwritten signature in black ink, appearing to read 'Colleen M. Dale', written over a horizontal line.

Colleen M. Dale  
Secretary

(S E A L)

Morris L. Woodruff, Deputy Chief Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 6th day of April, 2006.