

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a session of the Public Service Commission held by internet and audio conference on the 28<sup>th</sup> day of April, 2021.

In the Matter of Carl Richard Mills' Request )  
to Maintain Water System Rate ) **File No. WR-2021-0177**

**ORDER DIRECTING FILING AND  
DENYING MOTION TO SUSPEND CASE TIMELINE**

Issue Date: April 28, 2021

Effective Date: April 28, 2021

On December 21, 2020, Mr. Carl Richard Mills filed a letter initiating a staff-assisted rate case. On December 30, 2020, the Staff of the Commission filed a case timeline, as required by the Commission rule that governs staff-assisted rate cases.<sup>1</sup> On March 10, 2021, the Commission granted Mr. Derald Morgan's application to intervene.

On April 6, 2021, Mr. Mills filed a pleading in the staff-assisted rate case stating a request to "gift" the water system operated by Mr. Mills "to the Carriage Oaks Estates Home Owners Association" or, in the alternative, to "divest" the system to a "PSC-approved commercial [third-party] organization."

The Commission directed Staff to respond to Mr. Mills' April 6 pleading and directed that any other party responses be filed no later than April 16, 2021. On April 15, 2021, Mr. Morgan filed a motion to suspend the rate case proceeding for 60 days. Mr. Morgan's motion seeks a suspension to (1) allow Mr. Mills additional time to file an application to transfer the system in compliance with Commission rules; and (2) allow

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<sup>1</sup> Commission Rule 20 CSR 4240-10.075(5).

the parties time to complete discovery Mr. Morgan has requested in regard to volumetric rates.

On April 16, 2021, Staff responded to the Commission's order with an evaluation of the adequacy of Mr. Mills' April 6 filing. In addition, Staff advised that the rate case should "continue to progress consistent with" the staff-assisted rate case timeline. Under that timeline, Staff was to provide Staff's settlement proposal to all parties by April 20, 2021, to be followed by a conference call or meeting with all parties on April 26, 2021. No other responses to Mr. Morgan's motion have been filed, and the time for responses has expired.<sup>2</sup>

Given the current posture of the staff-assisted rate case, which has now reached the point of Staff's settlement proposal and associated discussions, the Commission will deny Mr. Morgan's motion to suspend the case timeline. Commission rule permits Staff and Mr. Mills to agree to a 30-day extension without Commission approval.<sup>3</sup> In addition, Mr. Morgan may request suspension of the case timeline after formal discussion of Staff's settlement proposal, if Mr. Morgan contends such a suspension is necessary at that time.

Finally, the Commission will direct Mr. Mills to advise the Commission whether the Commission should treat the April 6 pleading as an application to transfer the water system, such that Mr. Mills requests the Commission take up that issue while the rate case is pending.

**THE COMMISSION ORDERS THAT:**

1. Mr. Morgan's motion to suspend the rate case timeline is denied.

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<sup>2</sup> Commission Rule 20 CSR 4240-2.080(13) allows parties 10 days to respond to pleadings unless otherwise ordered by the Commission.

<sup>3</sup> 20 CSR 4240-10.075(5).

2. No later than May 6, 2021, Mr. Mills shall file a statement to advise the Commission whether the April 6 pleading should be considered an application to transfer the water system and a request to take up that issue while the rate case is pending.

3. This order shall be effective when issued.



**BY THE COMMISSION**

A handwritten signature in black ink that reads "Morris L. Woodruff". The signature is written in a cursive style.

Morris L. Woodruff  
Secretary

Silvey, Chm., Kenney, Rupp, Coleman, and  
Holsman CC., concur.

Jacobs, Regulatory Law Judge