

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

The Office of the Public Counsel,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>File No. WC-2016-0252</u></b>
	)	
Moore Bend Water Utility, LLC	)	
	)	
Respondent.	)	

**ORDER GRANTING STAFF’S MOTION FOR DISCOVERY CONFERENCE,  
STAYING DEADLINE FOR FILING ANSWER, AND SETTING DEADLINE FOR  
RESPONSE TO REQUEST FOR MEDIATION**

Issue Date: April 15, 2016

Effective Date: April 15, 2016

On April 13, 2016, the Commission’s Staff filed *Staff’s Motion for Discovery Conference, Expedited Treatment, and Waiver of Rule 4 CSR 240-2.090(8)*. Staff is requesting a discovery conference to resolve a dispute concerning data requests submitted to the Office of the Public Counsel (“OPC”). OPC objected to the data requests, claiming work privilege. Staff requests the discovery conference be held no later than April 20, due to the seriousness of OPC’s allegations against Moore Bend Water Utility, LLC (“Moore Bend”). Staff also requests a waiver of Commission rule 4 CSR 240-2.090(8), which requires a discussion between the parties about the dispute and a telephone conference with the presiding judge before a written discovery motion is filed. Since OPC objects on grounds of privilege—likely thwarting an informal

resolution of the dispute—and the complaint involves serious allegations concerning water quality, the Commission will grant Staff’s motion and request for waiver.

On April 14, 2016, Moore Bend filed a *Request for Mediation*. The Commission will set a deadline for OPC to file a response. The Commission will also stay the May 2 deadline for Moore Bend to file an answer to the complaint.

**THE COMMISSION ORDERS THAT:**

1. Staff’s motion for expedited treatment and waiver of Commission rule 4 CSR 240-2.090(8) is granted.

2. A discovery conference will be held at 11:00 a.m. on April 20, 2016, at the Commission’s office at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, Room 305. This building meets accessibility standards required by the Americans with Disabilities Act. If additional accommodations are needed to participate in this prehearing conference, please call the Public Service Commission’s Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 prior to the hearing.

3. OPC and Staff shall appear at the April 20, 2016, discovery conference.

4. OPC shall file a response to Moore Bend’s *Request for Mediation* no later than April 22, 2016.

5. The May 2, 2016, deadline for Moore Bend to file an answer to the complaint shall be stayed, until the Commission orders otherwise.

6. 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

Kim S. Burton, Senior Regulatory  
Law Judge, by delegation of authority  
pursuant to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 15<sup>th</sup> day of April, 2016.