

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

Derald Morgan,	)	
	)	
Complainant,	)	
	)	
v.	)	<b><u>File No. WC-2021-0223</u></b>
	)	
Carl R. Mills Water Service d/b/a Carl	)	
Richard Mills,	)	
	)	
Respondent	)	

**ORDER DIRECTING RESPONSE**

Issue Date: March 4, 2021

Effective Date: March 4, 2021

On January 13, 2021, Derald Morgan<sup>1</sup> filed a formal complaint against Carl R. Mills Water Service d/b/a Carl Richard Mills. On February 16, 2021, Carl Richard Mills responded to the complaint. The response and three attached exhibits were submitted as confidential. There was no explanation of why the pleadings were filed as confidential.

On February 18, 2021, Mr. Morgan filed a Motion to Show Cause or Strike Responses. Generally, the motion questions why the response and exhibits of Carl Richard Mills were designated confidential. Mr. Morgan notes that Commission Rule 20 CSR 4240-2.135 addresses the filing of confidential information; specifically complaining that subsection (2)(B) was not complied with in Carl Richard Mills' confidential response and attachments. That subsection requires a pleading providing a description of how the filing designated as confidential qualifies as confidential. No party has yet responded to the motion of Mr. Morgan.

The Commission will direct a response be filed by Carl Richard Mills, and will set a timeframe to allow responses by other parties.

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<sup>1</sup> Mr. Morgan's affidavit identifies his full name as J. Derald Morgan.

On its own review, the Commission sees that Mr. Morgan's complaint includes an exhibit that is designated confidential. The Commission is unable to locate Mr. Morgan's compliance with Commission Rule 20 CSR 4240-2.135(2)(B) regarding the designation of his third exhibit as confidential. The Commission will direct Mr. Morgan to file a pleading in compliance with the rule.

**THE COMMISSION ORDERS THAT:**

1. Carl R. Mills Water Service d/b/a Carl Richard Mills shall file a response to the February 16, 2021, motion of Mr. Morgan, or file a pleading complying with Commission Rule 20 CSR 4240-2.135(2)(B) regarding the confidential designation applied to the response and exhibits of Carl Richard Mills, on or before March 24, 2021.
2. Any other party wishing to file a response to the February 16, 2021, motion of Mr. Morgan shall do so on or before March 24, 2021.
3. Mr. Morgan shall file a pleading complying with Commission Rule 20 CSR 4240-2.135(2)(B) regarding the confidential designation applied to his third exhibit in his complaint filed January 13, 2021. Such pleading shall be filed on or before March 24, 2021.
4. 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, flowing style.

Morris L. Woodruff  
Secretary

Charles Hatcher, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo (2016).

Dated at Jefferson City, Missouri,  
on this 4<sup>th</sup> day of March, 2021.