

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

In the Matter of the Application of Foxfire Utility)
Company for Authority to transfer Certain Water)
and Sewer Assets Located in Stone County,) **File No. WM-2022-0186 and**
Missouri to Ozark Clean Water Company, and in) **SM-2022-0187**
Connection Therewith, Certain Other Related)
Transactions.)

**MOTION FOR EXTENSION OF TIME
TO FILE STAFF RECOMMENDATION**

COMES NOW the Staff of the Missouri Public Service Commission, through counsel, and for its Motion for extension of Time to File Staff Recommendation, states as follows.

1. On March 15, 2022, Foxfire filed applications pursuant to Section 393.190, of the Revised Statutes of Missouri (“RSMo”), 20 CSR 4240-2.060, and 10.105 seeking Commission authority to sell its water and sewer assets to Ozark Clean Water Company.¹ The applications were consolidated into one matter on March 16, 2022, which hereinafter is the “Application.”² Foxfire also requests to be relieved of its responsibilities as a water and sewer corporation, cancelation of its certificates of convenience and necessity (“CCN”) granted in File No. WA-95-31, and cancelation of its tariff sheets.³

2. On March 16, 2022, the Commission ordered the Staff to file a recommendation regarding the Application, or a status report indicating when it will file its recommendation by April 15, 2022.⁴

¹ Application, Pg 4.

² Report and Order, *In the Matter of the Application of Foxfire Utility Company for Authority to Transfer Certain Water and Sewer Assets in Stone County, Missouri to Ozark Clean Water Company*, March 16, 2022, File No. WM-2022-0186, P. 2.

³ Application, Pg. 4.

⁴ Report and Order, *In the Matter of the Application of Foxfire Utility Company for Authority to Transfer Certain Water and Sewer Assets in Stone County, Missouri to Ozark Clean Water Company*, March 16, 2022, File No. WM-2022-0186, P. 3.

3. On March 16, 2022, Foxfire filed an amendment to its application indicating paragraph two was incorrect and amended it to state: "Foxfire provides its sewer and water services within the corporate limits of the Village of Indian Point in Stone County, Missouri."⁵

4. On April 8, 2022, Staff proposed to submit its recommendation by June 14, 2022, and the Commission granted such request on the same date.

5. Also on April 8, 2022, the Commission granted Ozark Clean Water Company's March 15, 2022, motion to intervene in this matter.⁶

6. Staff has issued data requests to aid in its review, provide feedback, and continue discussions. However, the responses to Staff data requests has spurred the need for additional time to analyze the data and information received from Foxfire, which may include additional investigation and discovery.

7. In order to provide sufficient time to analyze the acquired data and information from Foxfire and complete its investigation, Staff requests an additional 14 days in which to complete its review and file its recommendation. That being said, Staff will endeavor to complete its review prior to any newly-established filing date.

8. Counsel for Foxfire has been contacted regarding this motion and does not object to the granting of an extension of time in this matter.

9. The motion is made in the interest of justice and not with the intent to unreasonably delay or hinder these proceedings in any manner.

⁵ Amended Application, ¶2.

⁶ Report and Order, *In the Matter of the Application of Foxfire Utility Company for Authority to Transfer Certain Water and Sewer Assets in Stone County, Missouri to Ozark Clean Water Company*, April 8, 2022, File No. WM-2022-0186, P. 2.

WHEREFORE, Staff respectfully submits this Motion for Extension of Time to File Staff Recommendation for the Commission's information and consideration, and hereby prays the Commission order Staff to file its recommendation in this matter an additional 14 days; and to grant such other and further relief as the Commission considers just and reasonable in the circumstances.

Respectfully submitted,

/s/ J. Scott Stacey

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been transmitted by electronic mail to counsel of record this 14th day of June, 2022.

/s/ J. Scott Stacey