

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

The Staff of the Missouri Public Service Commission,)	
)	
Complainant,)	
v.)	<u>Case No. WC-2022-0295</u>
)	
I-70 Mobile City, Inc.)	
d/b/a I-70 Mobile City Park)	
Respondent.)	

STATUS REPORT

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and pursuant to the July 29, 2022 *Order Suspending Procedural Schedule and Directing Filing of a Monthly Status Report*, states as follows:

1. Respondent I-70 Mobile City, Inc. d/b/a I-70 Mobile City Park’s (“I-70 MCP”) *Motion to Stay*; the Commission’s *Petition for Order to Permit Entrance Upon Land and Inspection of Property*, filed in accordance with the Commission’s September 14, 2022 order; and the Commission’s *Motion in Limine* were all heard and taken under advisement at the November 28, 2022, hearing in the Cole County Circuit Court, Case No. 22AC-CC05836.

2. On November 23, 2022, Respondent filed a *Motion for Summary Determination* with the Commission in the above-captioned case, number WC-2022-0295. Staff then filed a *Motion to Stay* the response deadline to the summary determination motion, and I-70 MCP filed a *Motion for Protective Order*, requesting the Commission to stay discovery until its *Motion for Summary Determination* is ruled upon.

3. On January 29, 2023, the Cole County Circuit Court entered an *Order and Judgment* in Case Number 22AC-CC05836 in favor of Commission Staff and ordered Respondent I-70 MCP to agree upon a reasonable date for the inspection within 30 days of the effective date of the Court's *Order*.

4. On February 8, 2023, the Commission entered an *Order Denying I-70 Mobile City Park's Motion for a Protective Order*. In the *Order*, the Commission concurred with Staff and the Cole County Circuit Court and found the Staff's discovery requests "appropriate and reasonably calculated to lead to discovery of admissible evidence and comply with the requirements of Missouri Rule of Civil Procedure 56.01(a) and (b)."

5. Thereafter, the parties filed a *Notice of Inspection of Property*, notifying the Commission that the parties have scheduled an inspection of the I-70 MCP premises for March 8, 2023.

6. In addition, Staff has responded to all remaining data requests ("DRs") served upon it by Respondent I-70 MCP, and has no outstanding DRs due to any party.

7. As of the date of this filing, Respondent I-70 MCP has yet to respond to four remaining DRs served upon it by Staff, all submitted to it on November 18, 2022. Those DRs were the subject of the *Motion for Protective Order* filed by I-70, which was denied on February 8, 2023, and became "effective when issued." Staff will move to enforce responses to those DRs.

WHEREFORE, the Staff respectfully offers and requests the Commission accept the foregoing Status Report in this case and grant any further relief as the Commission considers just and reasonable in the circumstances.

Respectfully submitted,

/s/ Carolyn H. Kerr

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 24th day of February, 2023, to all counsel of record.

/s/ Carolyn H. Kerr