

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

Derald Morgan, Rick and Cindy Graver,)
William and Gloria Phipps and David Lott,)
)
Complainants,)
)
v.)
)
Carl Richard Mills, Carriage Oaks Estates Homes)
Association, Distinctive Designs and Caring)
Americans Trust Foundation, Inc. (f/k/a Caring)
Americans Foundation, Inc.),)
)
Respondents)

File No. WC-2017-0037

STAFF’S MOTION TO BE EXCUSED

COMES NOW the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its *Motion to be Excused* in these matters hereby states:

1. Staff has contacted Complainants and Respondents to determine whether Staff ought to make available witnesses to be called at hearing by either party. Neither party indicated they will call a member of Staff.
2. Staff has chosen not to file testimony and participate in this matter, as legal counsel represents Complainants and Respondents, the factual matters are largely outside of Staff’s knowledge and expertise, and Staff believes any witnesses or argument would be duplicative and only serve to lengthen the proceedings.
3. Therefore, Staff waives its right:
 - a. to examine witnesses listed by Complainants and Respondents;
 - b. to present opening statements at the evidentiary hearing scheduled for February 6, 2018; and

c. to participate in post-hearing briefs, if briefs are ordered.

WHEREFORE, Staff respectfully moves the Commission that it be excused from the hearing and remainder of the procedural schedule.

Respectfully submitted,

/s/ Jacob T. Westen

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile, or electronically mailed to all parties and or counsel of record on this 2nd day of February, 2018.

/s/ Jacob T. Westen