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Secretary of the Commission Public Service Commission P.O. Box 360 Jefferson City, Missouri 65102

בייון בייווים אייים איים

Re:

Motion to Request Prehearing Conference Setting

Case No. EO-2003-0452

Dear Secretary:

Enclosed please find an original and eight (8) copies of the Motion to Request Prehearing Conference Setting.

Thank you for seeing this filed.

Sincerely,

Lisa Cole Chase

LCC:lw

Enclosures

CC:

Dan Joyce Mike Dandino Dean Cooper Mark Kennedy

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BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

NOV 1	9 2002

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Ozark Border Electric Cooperative,)		•
Complainant,)	Se: Jins	Charles Jon
vs.)	Case No. EC-2003-0452	•
City of Poplar Bluff,)		
Respondent.)		

MOTION TO REQUEST PREHEARING CONFERENCE SETTING

COMES NOW, Ozark Border Electric Cooperative, by and through its attorneys of record, Kennedy, Kennedy & Robbins, LC and Andereck, Evans, Milne, Peace & Johnson, L.L.C., and pursuant to 4 CSR 240-2.090(4) hereby files its Motion to Request Prehearing Conference Setting in this case, and states as follows:

- 1. On April 21, 2003, Ozark Border Electric Cooperative filed a complaint against the City of Poplar Bluff. This matter was referred to mediation by the Commission on June 9, 2003.
- 2. The parties participated in a mediation on July 24, 2003 at the Alternative Dispute Resolution Center at the Law School of the University of Missouri-Columbia. The parties did not reach agreement at the mediation, but continued their efforts with ongoing settlement negotiations. The settlement negotiations have reached an impasse, and the parties do not believe further settlement negotiations will be fruitful.
- 2. As reflected in the Commission's Order, Respondent Poplar Bluff filed its answer to the complaint on October 9, 2003. As stated in the Joint Status report filed with the Commission on this same date, the parties believe this matter is ready to proceed before the

Commission for further determinations. Ozark Border hereby requests that a prehearing conference be set for this matter.

Respectfully submitted,

ATTORNEYS FOR COMPLAINANT

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing was mailed, via U.S. Mail, postage prepaid, this 19th day of November, 2003, to:

Office of Public Counsel P.O. Box 7800 Jefferson City, MO 65102

Missouri Public Service Commission Office of General Counsel P.O. Box 360 Jefferson City, MO 65102

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