

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

The Staff of the Missouri Public)	
Service Commission,)	
)	
Complainant,)	
)	Case No. WC-2022-0295
v.)	SC-2022-0296
)	
I-70 Mobile City, Inc.)	
d/b/a I-70 Mobile City Park,)	
)	
Respondent.)	

**RESPONSE TO MOTION TO SET HEARING DATE AND REQUEST
TO SET PROCEDURAL SCHEDULE**

Respondent, I-70 Mobile City, Inc. d/b/a I-70 Mobile City Park (“I-70 Mobile City”), by and through counsel, and for its Response to Motion to Set Hearing Date states as follows:

1. Despite claiming it is “ready to proceed,” Staff admits it had all information requested as of August 8, 2023. Staff could have filed its response any time thereafter. Instead, Staff asked for a deadline in the “end of September” (well beyond the thirty days allowed under the rules). Now, rather than simply filing a response, Staff seeks to circumvent any response at all.

2. On August 31, 2023, Counsel for I-70 did provide courtesy notice to all parties that counsel intended to file an Amended Motion, which would trigger a response deadline under the rules.

3. Staff accuses I-70 of “delaying” in not immediately filing an amended Motion;¹ however, counsel for I-70 informed Staff:

¹ It was Staff who waited almost a year after I-70 voluntarily answered its “questionnaire” to file a complaint. It was also Staff who filed a Motion to Stay the Response Deadline to Motion for Summary Determination, further delaying the case.

(1) Counsel had an appellate brief due in the Court of Appeals on September 1.

(2) Counsel had prescheduled out of the country travel from September 4 – September 13.

4. I-70 proposes and respectfully requests the Commission enter the following procedural schedule:

a. I-70 files any amended Motion for Summary Determination no later than Friday, September 22, 2023.

b. Staff files its response on October 23, 2023.

c. A hearing is conducted on the Motion for Summary Determination between October 24, 2023, and November 24, 2023.

WHEREFORE, for the foregoing reasons, I-70 Mobile City respectfully requests the Commission enter the procedural schedule as set forth above.

Respectfully submitted,

ELLINGER BELL LLC

By: /s/ Stephanie S. Bell
Marc H. Ellinger, #40828
Stephanie S. Bell, #61855
308 East High Street, Suite 300
Jefferson City, MO 65101
Telephone: 573-750-4100
Facsimile: 314-334-0450
Email: mellinger@ellingerlaw.com
Email: sbell@ellingerlaw.com

*Attorneys for I-70 Mobile City, Inc.
d/b/a I-70 Mobile City Park*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon all of the parties of record or their counsel, pursuant to the Service List maintained by the Data Center of the Missouri Public Service Commission, on this September 18, 2023.

/s/ Stephanie S. Bell
Stephanie S. Bell