

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Petition for an Interim Receiver and for an Order Directing the General Counsel to Petition the Circuit Court for the Appointment of a Receiver for Misty Water Works)
)
) **File No. WO-2024-0036**
)
)

ORDER CONTINUING EVIDENTIARY HEARING AND SETTING PREHEARING CONFERENCE

Issue Date: October 11, 2023

Effective Date: October 11, 2023

This case is one of three concerning Respondent, Misty Water Works. The Staff of the Commission (Staff) filed a complaint case, File No. WC-2023-0353, a receivership case, File No. WO-2024-0036, and Misty Water Works filed an application for a certificate of convenience and necessity, File No. WA-2023-0418.

In this receivership case, File No. WO-2024-0036, Staff filed a petition for an interim receiver and for an order directing the general counsel to petition the circuit court for the appointment of a receiver for Misty Water Works. An evidentiary hearing was set for September 14.¹ Staff requested that the hearing be continued beyond September 21. The Commission granted that request and set an evidentiary hearing for October 12.

In the complaint case, File No. WC-2023-0353, Respondent had until May 15 to file an answer to the Commission Staff's complaint. Respondent requested a 90-day extension of time to answer Staff's complaint. The Commission granted Respondents motion allowing Respondent until September 7 to answer Staff's complaint. Respondent did not file a timely answer and Staff filed a motion to deem facts plead in its complaint

¹ All dates are 2023 unless otherwise specified.

as admitted, and for a default order. The Commission ordered Respondent to respond to Staff's motion no later than September 25. No timely response was received.

On October 4, Respondent filed a handwritten response to the Commission's order. Respondent indicates that he is not timely receiving Commission Orders and other pleadings sent to him at Misty Water Works' address on file with the Commission. Respondent further states that he received three letters forwarded to him on September 26. Respondent states that the Marshfield address is not the address for Misty Water Works' legal department. Respondent additionally states that he was released from the hospital after surgery on September 22. The response also lacks a referenced attachment. It is unclear if Respondent is aware of the October 12 evidentiary hearing.

The Commission will reschedule the October 12 evidentiary hearing, but will use the October 12 date for a prehearing conference to better evaluate Respondent's situation.

THE COMMISSION ORDERS THAT:

1. The evidentiary hearing set for October 12, 2023, is canceled.
2. An evidentiary hearing is scheduled for October 25, 2023, beginning at 9:00 a.m., at the Commission's office at the Governor Office Building, 200 Madison Street, Jefferson City, Missouri, Room 310. This building meets accessibility standards required by the Americans with Disabilities Act. If you need additional accommodations to participate in this evidentiary hearing, please call the Public Service Commission's Hotline at 1-800-392-4211 (voice) or Relay Missouri at 711 before the evidentiary hearing.
3. The parties shall appear at a prehearing conference on October 12, 2023, at 9:00 a.m. in room 310 at the Governor Office Building, 200 Madison

Street, Jefferson City, Missouri.

4. This order is effective when issued.



BY THE COMMISSION

Nancy Dippell

Nancy Dippell
Secretary

John T. Clark, Senior Regulatory Law Judge,
by delegation of authority pursuant to
Section 386.240, RSMo 2016.

Dated at Jefferson City, Missouri,
on this 11th day of October 2023.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City, Missouri, this 11th day of October, 2023.



Nancy Dippell

Nancy Dippell
Secretary

MISSOURI PUBLIC SERVICE COMMISSION

October 11, 2023

File/Case No. WO-2024-0036

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Enclosed find a certified copy of an Order or Notice issued in the above-referenced matter(s).

Sincerely,



**Nancy Dippell
Secretary**

Recipients listed above with a valid e-mail address will receive electronic service. Recipients without a valid e-mail address will receive paper service.