

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

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

**STAFF’S RESPONSE TO I-70 MOBILE CITY’S  
MOTION FOR ORAL ARGUMENT**

**COMES NOW** Staff of the Missouri Public Service Commission (“Staff”), by and through counsel, and for its *Response to I-70 Mobile City’s Motion for Oral Argument* states as follows:

1. On September 22, 2023, Respondent I-70 Mobile City, Inc. d/b/a I-70 Mobile City Park (“I-70 MCP”) filed its *Amended Motion for Summary Determination*, and on October 20, 2023, Staff filed its Response.
2. On December 5, 2023, Staff filed a *Motion for Judgment on the Pleadings*.
3. On December 6, 2023, I-70 MCP filed a *Motion for Oral Argument* on its *Amended Motion for Summary Determination*.
4. To date, no action has been taken by the Commission to rule on Respondent’s *Amended Motion for Summary Determination*; however, it is scheduled to be heard on the Commission’s regularly scheduled Agenda on Thursday, December 7, 2023.
5. Commission Rule 20 CSR 4240-20117(1)(G) allows for but does not require oral argument on a motion for summary determination.

6. Having submitted substantial written arguments in support of each parties' positions for the Commission's review and examination, Staff objects to setting this matter for oral argument and suggests the Commission rule on I-70 MCP's *Amended Motion for Summary Determination* at its Agenda meeting on December 7, 2023 based on the filed pleadings and written arguments.

7. If the Commission rules against Respondent I-70 MCP on its *Amended Motion for Summary Determination*, and finds in favor of Staff, then the matter can be scheduled for an evidentiary hearing in early January, 2024.<sup>1</sup>

8. If a ruling is not made on I-70 MCP's *Amended Motion for Summary Determination* on December 7, 2023, by the Commission, and the matter is set for oral argument, counsel for Staff would be available to orally argue the *Amended Motion for Summary Determination* the week of December 18, 2023, and has no conflict dates between December 27, 2023, and January 12, 2024.

**WHEREFORE**, for the foregoing reasons, Staff prays the Commission deny Respondent I-70 Mobile City, Inc. d/b/a I-70 Mobile City Park's *Motion for Oral Argument on Amended Motion for Summary Determination*, deny Respondent's *Amended Motion for Summary Determination*, grant Staff's *Motion for Judgment on the Pleadings*, and for such other orders it deems reasonable and just under the circumstances.

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<sup>1</sup> On December 5, 2023, the judge in this case ordered the parties to submit their available dates for a rescheduled hearing after the evidentiary hearing originally scheduled for December 6 and 8, 2023, was cancelled.

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 6th day of December, 2023, to all counsel of record.

**/s/ Carolyn H. Kerr**