## 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	)	Case No. WO-2024-0036
General Counsel to Petition the Circuit	)	
Court for the Appointment of a Receiver	)	
for Misty Water Works	)	

## MOTION TO WAIVE FILING OF STATUS REPORT

**COMES NOW** the Staff of the Missouri Public Service Commission ("Staff"), by and through counsel, and in support of its Motion to Waive Filing of Status Report states as follows:

- 1. On August 15, 2023, Staff filed a *Petition for Interim Receiver* pursuant to § 393.145, RSMo, asking the Commission to direct its General Counsel to petition the Circuit Court of Cole County, Missouri to appoint a receiver for Misty Water Works and to appoint an interim receiver for Misty Water Works.
- 2. The evidentiary hearing in this matter was held on October 25 and 26, 2023, during which Leon Travis Blevins testified he planned to form one or more non-profit home owners associations (HOA) to take over the water utility service of the various well systems he owned so that the water systems he operated would no longer be subject to Missouri Public Service Commission (PSC) jurisdiction.
- 3. On December 20, 2023, the Commission issued an *Order Directing Staff Response About Noncompliant Well Agreement*, requiring the Staff to inform the Commission of the status of the Missouri Department of Natural Resource (DNR)'s noncompliant well agreement and its availability.

- 4. On January 8, 2024, March 7, 2024, April 5, 2024, May 7, 2024, and again on June 7, 2024, Staff filed *Status Reports* describing the DNR actions against Mr. and Mrs. Blevins.
- 5. On June 24 and 25, 2024, an evidentiary hearing was held in Case No. WC-2023-0353, which included many of the same facts and issues raised in this case. Witnesses who testified in the WC case provided information which would be included the July status report filed herein.
- 6. As such, Staff requests the status report in the above-captioned case be waived for the month of July, in that the Commission has been informed of the status of the case by virtue of the information provided in the hearing in the WC-2023-0353 held on June 24-25, 2024.
- 7. This Motion is made in the interest of justice and without the intent to unreasonably delay or hinder these proceedings in any manner.

WHEREFORE, the Staff respectfully prays this court waive the filing of the July monthly status report and for any other such order as it deems just and reasonable under the circumstances.

Respectfully submitted,

## /s/ Carolyn H. Kerr

Missouri Bar No. 45718
Senior Staff Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102
573-751-5397 (Voice)
573-526-6969 (Fax)
Carolyn.kerr@psc.mo.gov

Attorney for Staff of the Missouri Public Service Commission

## **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 2<sup>nd</sup> day of July, 2024, to all parties and counsel of record.

/s/ Carolyn H. Kerr