BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of the Application of Sullivan Development Properties LLC for Change Of Electric Supplier

File No. EO-2024-0251

APPLICANT'S RESPONSE TO ORDER TO SHOW CAUSE

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COMES NOW, Applicant and states the following in response to the Show Cause Order issued by the Commission:

1. On July 1, 2024, the Commission scheduled a pre-trial conference on this matter for July 10, 2024, at 2:00 pm.

2. At that time, counsel for the Applicant believed they were available for the pretrial conference as a previously scheduled trial appeared to be settled prior to its July 10, 2024 court date.

3. However, on or about July 9, 2024, it became clear to Applicant's counsel that the trial would be held, and counsel would no longer be available for the pretrial conference.

4. Counsel sent an email to all parties of record on even date, including Missouri Public Service Commission staff, explaining his unavailability, making a brief statement of Applicant's position regarding this matter, and an offer to provide dates for setting.

5. Inadvertently, counsel did not include Judge Walker or any judicial staff in the email as he mistakenly believed the Commission had been properly included in said email.

6. It was not Applicant's intention to disregard the conference, or the Commission, and Applicant's counsel took steps to ensure the parties were informed of Applicant's position on the matter despite counsel's unavailability.

7. Furthermore, there is good cause for this matter to not be dismissed as Applicant is currently in discussions with the City of Farmington regarding annexation and the terms thereof.

WHEREFORE, Applicant prays that the Commission does not dismiss this matter for the reasons set forth herein, that this matter be allowed to proceed and for such other relief as the Commission deems appropriate.

RESPECTFULLY SUBMITTED,

/s/ Kevin G. Kellogg

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