

4. In the alternative, Applicants request a variance for good cause should the Commission find that 20 CSR 4240-20.050 does apply.

5. On November 19, 2024, the Commission issued its *Order Setting Deadlines for Intervention Requests and for Recommendation of Variance Committee*, which set a December 10, 2024, deadline to intervene, and which set a December 18, 2024, deadline for the Variance Committee to file either a recommendation or a status report indicating when it expects to file its recommendation.

6. Staff submitted data requests (“DRs”) to Applicants on November 26, 2024, and while some responses have been received as of the date of this filing, all responses were due on or by December 16, 2024.

7. In order to provide sufficient time for the Variance Committee to examine Applicants’ request, including the opportunity to receive and review DR responses – and the potential need to issue additional discovery in its examination – Staff requests the Commission order the Variance Committee to submit its Recommendation no later than January 17, 2025. The Variance Committee will endeavor to file its recommendation earlier if possible.

8. This Status Report is made in the interest of justice and without the intent to unreasonably delay or hinder these proceedings in any manner.

WHEREFORE, Staff requests that the Commission accept this Status Report; order the Variance Committee to file its Recommendation regarding the Application no later than January 17, 2025; and to grant such other and further relief as the Commission considers just and reasonable under the circumstances.

Respectfully Submitted,

/s/ Alexandra Klaus

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been transmitted by electronic mail to counsel of record this 17th day of December, 2024.

/s/ Alexandra Klaus