BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

Timothy O'Leary,	)	
	)	
Complainant,	)	
	)	
v.	)	**Case No. WC-2026-0371**
	)	
Missouri-American Water Company,	)	
	)	
Respondent.	)	

MOTION FOR LEAVE TO OBJECT TO DATA REQUESTS OUT OF TIME AND MOTION FOR EXPEDITED TREATMENT

COMES NOW Missouri-American Water Company ("MAWC"), by and through counsel, and pursuant to 20 CSR 4240-2.050 (3)(B), files its *Motion for Leave to Object to Data Requests Out of Time and For Expedited Treatment* and states as follows:

1. Timothy O'Leary, Complainant herein, filed his formal *Complaint* against MAWC on June 24, 2026.

2. On June 25, 2026, the Commission issued its *Order Giving Notice of Complaint, Directing an Answer and Staff Investigation*. Therein, noting that the amount at issue is less than $3,000, the Commission designated this case as a Small Formal Complaint Case, subject to the procedures set out in Rule 20 CSR 4240-2.070(15).

3. Thereafter, MAWC and Mr. O'Leary entered into negotiations aimed at settling the case.

4. On July 10, 2026, MAWC received data requests propounded by the Staff of the Commission.

5. Pursuant to Commission Rule 20 CSR 4240-2.090(2)(D), "If the recipient objects to data requests or is unable to answer within twenty (20) days, the recipient shall

serve all of the objections or reasons for its inability to answer in writing upon the requesting party within ten (10) days after receipt of the data requests, unless otherwise ordered by the commission."

6. MAWC did not tender objections to any of Staff's data requests by July 20, 2026, the 10th day after their receipt.

7. Rule 20 CSR 4240-2.090(2)(D) expressly authorizes the Commission to vary the deadline for submitting objections to data requests. Additionally, Commission Rule 20 CSR 4240-2.050 (3)(B) provides, "(3) When an act is required or allowed to be done by order or rule of the Commission at or within a specified time, the commission may-- . . . (B) After the expiration of the specified period, permit the act to be done where the failure to act was the result of excusable neglect or for other good cause shown."

8. MAWC's failure to timely submit objections to certain of Staff's data requests was due to excusable neglect and good cause in that MAWC reasonably believed that the case would be settled via the ongoing negotiations with Mr. O'Leary and that it would therefore not be necessary to respond to Staff's data requests.

9. In the event, the negotiations failed to produce a settlement and MAWC found itself obliged to respond to Staff's data requests after all. MAWC found certain of the data requests to be objectionable but the time for objecting had already passed.

10. MAWC submitted its objections to certain of the data requests to Staff by letter on July 22, 2026, now by this motion seeks leave of the Commission to make its objections out of time. A copy of MAWC's objection letter is appended hereto as Exhibit A and incorporated herein for all purposes by reference.

11. No party will be prejudiced by the granting of this motion and the public

interest favors allowing appropriate objections to be made in the course of the discovery process.

12. Pursuant to Rule 20 CSR 4240-2.090(14), MAWC moves the Commission for expedited treatment of this motion because the due date for response to the Staff's data requests is July 30, 2026, which date is only seven (7) days away. Time is not available to allow the parties ten days to respond to this motion. MAWC therefore requests that the Commission determine this motion for leave to submit objections out of time by Monday, July 27, 2026. Otherwise, MAWC will be required to respond to objectionable and unduly burdensome data requests. The granting of MAWC's motion will have no negative effect on MAWC's customers or on the general public. MAWC states that this pleading has been filed as soon as possible following the failure of the settlement negotiations with Mr. O'Leary.

WHEREFORE, on account of all the foregoing, MAWC urges the Commission to grant its *Motion for Leave to Object to Data Requests Out of Time,* permitting it to tender objections to Staff by July 22, 2026; and to expeditiously take up and determine its motion by Monday, July 27, 2026; and granting such further and other relief as is just and proper in the circumstances.

Respectfully submitted,

/s/ Kevin A. Thompson
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ATTORNEYS FOR MISSOURI-AMERICAN WATER COMPANY

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing document was sent via electronic mail on this 23rd day of July, 2026, to all parties appearing on the Commission's Service List for this case.

/s/ Kevin A. Thompson