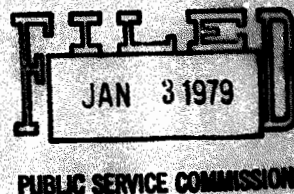


BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF MISSOURI



In the matter of the Application )  
of OZARK MOUNTAIN WATER CO. for )  
a certificate of convenience and )  
necessity for the purpose of serv- )  
ing water. )

Case No. W-A-78170

APPLICATION FOR A CONTINUANCE

Comes Turkey Mountain Estates Home Owners Association Nos. 1 and 2 by their attorneys of record, Fain & Fain, 333 Madison Street, Jefferson City, Missouri, and for continuance states:

Turkey Mountain Estates Home Owners Association Nos. 1 and 2 are made up of property and home owners in the area attempting to be certified by the Applicant. Both associations are contesting the right of the Applicant to act as a public utility to sell water to the members of these associations.

In order for them to properly put on their evidence, it will be necessary for a large number of the homeowners to be present and put on their evidence, especially as to the ownership of the water lines in question.

It is estimated that at least one or two days will be taken in further cross-examination of the Applicant's witnesses. Also a factor is the long range forecast predicting snow for the coming weekend, which is likely to make it impractical for the intervenors to travel to Jefferson City next Wednesday and Thursday. Furthermore, it will be very difficult and expensive for them to stand by until they are able to present their case.

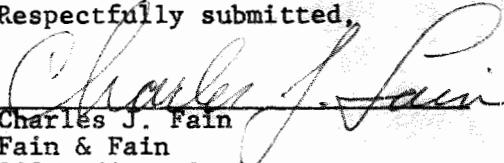
The undersigned has endeavored to reach some agreement with Applicant's attorney, but has been informed he will not be back in the office until sometime next week.

Intervenors ask that this matter be continued to a date to be fixed, or in the alternative that Applicant's witnesses be heard beginning January 11, 1979, and that the intervenors be given a date certain when they can be heard for their portion

of the case and for issuance of subpoenas duces tecum to witness Roger Taylor as follows:

All original records of any monies expended in the development and operation of the water facilities which are the subject of the application in Case No. W-A-78170; copies of all federal income tax records filed by the developers from the beginning of development of the lots which expensed any costs of items pertaining to the water facilities.

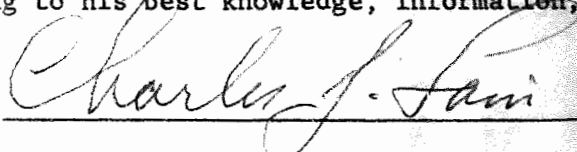
Respectfully submitted,



Charles J. Fain  
Fain & Fain  
333 Madison St.  
Jefferson City, MO  
Attorney for Intervenors

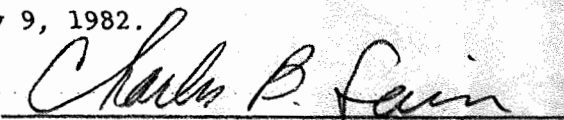
STATE OF MISSOURI     )  
                                  ) ss.  
COUNTY OF COLE     )

Charles J. Fain, being duly sworn, states that he is attorney for Turkey Mountain Estates Home Owners Association Nos. 1 and 2, and makes this application in their behalf and that the facts stated above are true according to his best knowledge, information, and belief.



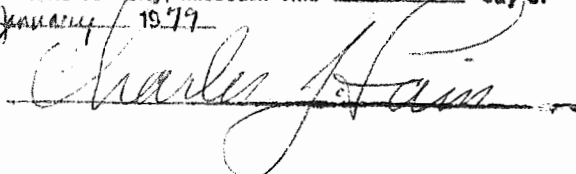
Subscribed and sworn to before me, the undersigned Notary Public, on this 3 day of January, 1979.

My commission expires May 9, 1982.



#### CERTIFICATE OF SERVICE

THE UNDERSIGNED certifies that a copy of the foregoing instrument was served upon the attorneys of record of all parties of the above cause by enclosing the same in an envelope addressed to such attorneys at their business address as disclosed by the pleadings of record herein with postage fully prepaid, and by depositing said envelopes in the United States Mails at Jefferson City, Missouri. This 3 day of January 1979.



# SUBPOENA DUCES TECUM

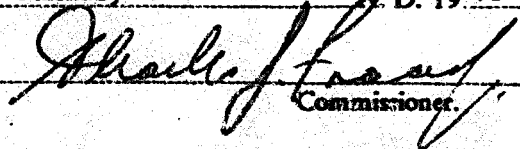
THE STATE OF MISSOURI. To Roger H. Taylor, 1615 S. Glenstone, Springfield,  
Missouri

You are hereby commanded to be and appear personally before The Public Service Commission of the State of Missouri, or any Commissioner thereof, on the 11th day of January, A. D. 19 79 at 10:00 o'clock in the fore noon of that day, at Jefferson Building, 10th Floor Hearing Room, Jefferson City, MO in the County of Cole, in the State of Missouri, to testify at a hearing in the matter of WA-78-170 (Ozark Mountain Water Co.)

And that you bring with you and produce at said hearing All original records of any monies expended in the development and operation of the water facilities which are the subject of the application in Case No. WA-78-170; copies of all federal income tax records filed by the developers from the beginning of development of the lots which expensed any costs of items pertaining to the water facilities. on behalf of the \_\_\_\_\_, and hereof fail not at your peril.

And the person or officer serving this writ is commanded to have the same at the time and place aforesaid, certifying thereon his return.

Given under my hand, this 3rd day of January A. D. 19 79

  
Commissioner