

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

The Staff of the Missouri Public Service Commission,)	
)	
Complainant,)	
)	Case No. WC-2008-0405
v.)	
)	
Dale Whiteside and Whiteside Hidden Acres)	
)	
Respondents.)	

MOTION TO EXTEND FILING OF A PROCEDURAL SCHEDULE

COMES NOW the Staff of the Missouri Public Service Commission (Staff), and requests the Missouri Public Service Commission (Commission) extend the date for filing a procedural schedule in this case. For its Motion, Staff respectfully states the following:

- 1) On June 19, 2008, Staff filed its Complaint asserting Respondents are water corporations, and thus, public utilities subject to the jurisdiction, regulation and control of the Commission.
- 2) On July 21, 2008, counsel for Respondents filed an Entry of Appearance, Answer, and Motion to Dismiss.
- 3) On July 28, 2008, Staff filed its Response to Respondents' Entry of Appearance, Answer, and Motion to Dismiss. Staff requested the Commission order Respondents to file an Answer specifically drawn so as to specifically admit or deny the allegations set forth in Staff's Complaint, and state the facts and law upon which any defense is based.
- 4) On August 18, 2008, a prehearing conference was held at the Commission's office building in Jefferson City, Missouri. Staff orally renewed its request for a more definite

and certain answer. Respondents' counsel did not object. The same day, the Commission issued its Order Granting Request for More Definite and Certain Answer.

- 5) Additionally, at the prehearing conference, Respondents agreed to work with their counsel in possibly filing an application for a Certificate of Convenience and Necessity. Counsel for Staff agreed to request an extension as to allow sufficient time for the Respondent to consider filing an application with the Commission.
- 6) Counsel for Staff requests an extension until September 8, 2008, to file a procedural schedule, if one is ultimately necessary.
- 7) The Office of Public Counsel does not object to the request for an extension.
- 8) Counsel for Staff does not intend for this Motion to affect the August 28, 2008 deadline for Respondents' submission of an Answer that specifically admits or denies every allegation set forth in Staff's Complaint.

WHEREFORE, Staff respectfully requests the Missouri Public Service Commission issue an order which 1) grants an extension until September 8, 2008, to file a procedural schedule; and 2) finds Staff's Motion to Extend Filing of a Procedural Schedule does not affect Respondents' August 28, 2008 deadline for filing its answer.

Respectfully submitted,

/s/Jennifer Hernandez

Jennifer Hernandez

Legal Counsel

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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was hand-delivered, mailed electronically or mailed by US Mail, postage prepaid, to all parties to this case on this 25th day of August, 2008.

/s/ Dawn M. Carafeno