

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

The Staff of the Missouri Public Service Commission,	)	
	)	
	)	
Complainant,	)	
	)	Case No. SC-2009-0304
v.	)	
	)	
Rodney Glenn Construction, Inc.; RDG Development LLC; and Rodney Glenn, a natural person	)	
	)	
Respondent.	)	

**STAFF’S MOTION TO STAY THE IMPOSITION OF A DEFAULT ORDER**

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), by and through Counsel, and for its Motion states:

1. On February 25, 2009, the Staff of the Missouri Public Service Commission filed a complaint with the Missouri Public Service Commission (“Commission”) against Rodney Glenn Construction, Inc., RDG Development, LLC and Rodney Glenn (collectively, “Respondents”). The Commission then issued notice of the complaint to the Respondents. Because it was unclear whether Respondents received notice, the Commission issued a second notice of the complaint on April 28, 2009. The notice required Respondents to file an answer no later than May 28, 2009.

2. On May 28, 2009, Respondents filed a Motion to Expand Time to File Answer. The Commission issued an order granting the motion and directed Respondents to file an answer no later June 28, 2009.

3. On July 15, 2009, the Commission entered an Order to Show Cause Why Default Order Should Not Be Issued, in which it required Respondents to file a pleading stating why the Commission should not enter an Order of Default, no later than July 22, 2009.

4. On July 23, 2009, Staff was contacted by Rodney Glenn, (“Glenn”) where he described extenuating circumstances which he claims precluded an earlier response, namely, Glenn stated that he had been in a car accident, and consequentially had undergone major surgery.

5. In light of discussions between Glenn and Staff, Staff respectfully requests that the Commission conditionally defer entering an Order of Default in this matter until July 31, 2009, so that the parties have opportunity to pursue negotiations to resolve the violations alleged in Staff’s Complaint.

6. If negotiations in this matter deteriorate prior to July 31, 2009, Staff will file a notice in this cause, indicating such, and indicating its belief that further negotiations will not present a workable resolution to the violations alleged in Staff’s Complaint.

7. Staff has contacted the Office of the Public Counsel, which did not indicate opposition to this request.

8. Staff does not believe that any party will be harmed by the granting of its Motion to Stay the Imposition of a Default Order, nor does Staff make its request so as to unduly delay these proceedings.

WHEREFORE, Staff requests that the Commission conditionally defer entering an Order of Default in this matter until July 31, 2009.

Respectfully submitted,

/s/ Sarah Kliethermes

Sarah L. Kliethermes

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### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 23<sup>rd</sup> day of July, 2009.

/s/ Sarah Kliethermes