BEFORE THE PUBLIC SERVICE COMMISION OF THE STATE OF MISSOURI

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Carl R. Mills' Request to Transfer Water System at Carriage Oaks Estate File No. WM-2022-0144

MOTION TO SUSPEND PROCEDURAL SCHEDULE PENDING FILING OF AMENDED DOCUMENTS OR IN THE ALTERNATIVE, MOTION FOR EXTENSION OF TIME

COMES NOW, Carriage Oaks Estates Water and Sewer Not-for-Profit ("Carriage Oaks Estates Not-for-Profit"), by and through counsel, Laura Stringfellow, and for its Motion to Suspend Procedural Schedule Pending Filing of Amended Documents, or in the Alternative, Motion for Extension of Time, states as follows:

1. On November 30, 2021, Carl R. Mills filed an Application for Approval of Transfer (Application) requesting Commission approval to transfer his water system at Carriage Oaks Estates subdivision to a not-for-profit organization.

2. On March 9, 2022, Staff filed a Motion for Enlargement of Time to File Staff Recommendation as Staff was working with Carl Mills and his respective counsel and the Carriage Oaks Not-for-Profit Water and Sewer Corporation.

3. On March 17, 2022, attorney Laura Stringfellow entered as counsel on behalf of the Not-for-Profit in order to aid the Carriage Oaks Estates Not-for-Profit in working with Staff to meet the application and formation requirements for transfer of the water system at Carriage Oaks Estates subdivision to the Carriage Oaks Estates Not-for-Profit.

4. Counsel for the Carriage Oaks Not-for-Profit is requesting that the Commission temporarily suspend procedural deadlines, including but not limited to the deadline for Staff Recommendation until amended documents correcting the deficiencies identified by Staff can be completed.

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5. The Carriage Oaks Not-for-Profit believes that the deficiencies identified can be corrected to the satisfaction of Staff and is working with the interested parties to correct any deficiencies.

6. Currently, counsel for the Carriage Oaks Not-for-Profit has prior commitments during the months of April and May, including but not limited to appellate briefing deadlines, multiple depositions, multiple trials, as well as the everyday time constraints from cases that are in active litigation.

 Additionally, this case is currently the reason that Case No. 2021-0223 with the Public Service Commission has been extended as it is anticipated that the completion of this case, WM-2022-0144, will resolve many of the disputes identified in Case No. 2021-0223.

8. Further, two (2) civil actions are pending in the Circuit Court of Stone County, Missouri, Case Nos. 19SN-CC00077 and 20SN-00155. Counsel anticipates that the majority of the disputes in these cases between the parties will be resolved pending the completion of this case, WM-2022-0144.

9. Finally, the Carriage Oaks Not-for-Profit is attempting to obtain a legal survey for the water utility asset, which is taking longer than anticipated.

WHEREFORE, the Carriage Oaks Not-for-Profit respectfully requests that the Commission temporarily suspend procedural deadlines, including but not limited to the deadline for Staff Recommendation, to allow the parties to time to correct deficiencies identified by Staff, or in the alternative, extend the time for Staff Recommendation an additional 90 days due to the reasons outlined above.

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Respectfully Submitted,

SCHENEWERK & WILLIAMS, ATTORNEYS AT LAW, LLC

<u>/s/ Laura Stringfellow</u> Laura Stringfellow, Mo. Bar No. 71196 100 Prairie Dunes Dr., Suite 200 Branson, Missouri 65616 Phone: 417-334-7922 Fax: 417-334-7923 <u>laura@sfalawfirm.com</u> Counsel for the Carriage Oaks Estates Not-for-Profit

CERTIFICATE OF SERVICE

The below signed counsel hereby certifies that a true and accurate copy of the foregoing was submitted through the Missouri Public Service Commission's E-Filing System on April 8, 2022, which generates notices to interested parties.

<u>/s/ Laura Stringfellow</u> Laura Stringfellow