

# BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

In the Matter of Missouri-American Water Company's )  
request for a variance from )  
certain requirements set forth in 4 CSR 240-2.050 )

**File No. WE-2010-0136**

## ORDER EXTENDING TIME TO FILE RECOMMENDATION

Issue Date: December 18, 2009

Effective Date: December 18, 2009

The Missouri Public Service Commission is granting the Commission's staff's ("Staff") Motion for Extension of Time to File Recommendation ("motion"). Such recommendation was due on December 17, 2009, and Staff filed the motion on that date. Staff requests a 30-day extension to file its recommendation. The Commission's regulations provide:

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, at its discretion, may—

(A) Order the period enlarged before the expiration of the period originally prescribed [. <sup>1</sup>]

That regulation offers no standard by which to exercise the Commission's discretion. Nonetheless, the motion supports its requested relief with good cause, meaning reasonableness and good faith.<sup>2</sup> Staff states that it received information related to the variance that is the subject of this action just two days ago, and that the other parties do not object to the extension. Because the Commission prefers a recommendation based on thorough investigation, the Commission will grant the motion.

---

<sup>1</sup> 4 CSR 240-2.015(3).

<sup>2</sup> *American Family Ins. Co. v. Hilden*, 936 S.W.2d 207 (Mo. App., W.D. 1996).

**THE COMMISSION ORDERS THAT:**

1. The Commission's staff shall file its recommendation as to the application on January 19, 2009.
2. This order shall become effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

Daniel Jordan, Regulatory Law Judge,  
by delegation of authority pursuant to  
Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,  
on this 18<sup>th</sup> day of December, 2009.