

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

Jefferson City
August 28, 1980

CASE NO. WA-80-237

Anthony W. Sieve and
Marcella Sieve, d/b/a
Dawn Valley Subdivision Water System
104 Dawn Drive
Washington, Missouri 63090

Gentlemen:

Enclosed find certified copy of ORDER in the above-numbered case.

Sincerely,



D. Michael Hearst
Secretary

uncertified copy:

Larry G. Mittendorf
Attorney at Law
P. O. Box 226
Union, Missouri 63084

BEFORE THE PUBLIC SERVICE COMMISSION

OF THE STATE OF MISSOURI

CASE NO. WA-80-237

In the matter of the application of Anthony W. Sieve and Marcella Sieve, husband and wife, d/b/a Dawn Valley Subdivision Water System, for amendment to a certificate of public convenience and necessity previously issued pursuant to the Order of the Commission on June 16, 1972, in Case No. 17,358.

The Commission granted a certificate of public convenience and necessity to construct and install, operate and maintain a water system where it found that the public convenience and necessity would be promoted thereby.

APPEARANCES: LARRY G. MITTENDORF, Attorney at Law, P. O. Box 226, Union, Missouri 63084, for Dawn Valley Subdivision Water System.

RORY ELLINGER, Assistant General Counsel, P. O. Box 360, Jefferson City, Missouri 65102, for the Staff of the Missouri Public Service Commission.

REPORT AND ORDER

By verified application filed March 31, 1980, Anthony W. Sieve and Marcella Sieve, doing business as Dawn Valley Subdivision Water System, seek an extension of the certificated area of their water system.

After due notice to interested parties, the matter was heard on July 25, 1980, in the Commission's hearing room on the tenth floor of the Jefferson State Office Building, Jefferson City, Missouri.

At the conclusion of the hearing, the parties waived the reading of the transcript and expressed no desire to file briefs.

Findings of Fact

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

Applicants Anthony W. Sieve and Marcella Sieve, husband and wife, reside at 104 Dawn Drive, Washington, Missouri. Applicants jointly own the Dawn Valley Subdivision Water System which operates as a sole proprietorship. Applicants provide water service in certain areas of Franklin County, Missouri, under authority of a certificate of public convenience and necessity issued by this Commission on June 16, 1972.

Applicants' system presently serves 84 metered customers and 9 non-metered mobile home pads. The system's well is 725 feet in depth and 10 inches in diameter. The well hole is capable of yielding 300 gallons per minute with 169 feet of drawdown. The well pump has a capacity of 45 gallons per minute. The high service pump has a capacity of approximately 167 gallons per minute.

Applicants now desire to extend its certificated area for the purpose of serving residents in a newly platted area of the Dawn Valley Subdivision. The legal description of said area is more particularly set out below. Applicants have completed construction of an addition to their existing water system at a cost of approximately \$31,000. The funds for construction are supplied by Applicants who are developers of the subdivision. Applicants anticipate receiving a return on their investment through the sale of lots in the newly-platted portion of the subdivision. The additional system will be contributed to the existing system and will become part of the existing system.

When the entire development is completed, the maximum number of water customers of the entire system will be 119. The system will be capable of delivering water to said customers at a minimum rate of two gallons per minute per customer.

Applicants anticipate no increase in rates resulting from said addition to its water system.

The Department of Natural Resources has approved the plans and specifications for the water line extensions contemplated herein.

An engineer with the Commission's Water and Sewer Department, testified on behalf of the Staff. It is his expert opinion that the grant of the requested certificate is in the public interest.

Conclusions

The Missouri Public Service Commission has arrived at the following conclusions:

The Commission is empowered by virtue of Section 393.170, RSMo 1978, to grant a certificate of public convenience and necessity to operate a water corporation. The Commission concludes that the Applicants' request to extend their certificated area should be granted as being in the public interest.

It is, therefore,

ORDERED: 1. That Anthony W. Sieve and Marcella Sieve, husband and wife, doing business as Dawn Valley Subdivision Water System be, and are, hereby granted a certificate of public convenience and necessity to construct, install,

operate, and maintain a water distribution system and all other facilities for the purpose of furnishing water service to the public in a certain portion of Franklin County, Missouri, described as follows:

Part of the Southeast Quarter of Section Twenty-Seven (27), Township Forty-Four (44) North, Range One (1) West, also known as Dawn Valley Subdivision, Plat 5, more fully described as follows:

Beginning at an old stone at the Southwest corner of the Southeast Quarter of said Section Twenty-Seven (27) and run North 0° 14' East along the quarter section line 955.54 feet to a point; thence South 80° 20' East 107.50 feet to a point; thence South 63° 30' East 210 feet to a point; thence North 32° 30' East 1425.43 feet to a point on the south line of Steuttermann Drive; thence South 65° 56' East along Steuttermann Drive 313.28 feet to a point; thence leaving said drive and run South 32° 30' West 1478.0 feet to a point; thence South 33° 30' East 143.17 feet to a point; thence South 22° 54' East 39.81 feet to a point; thence South 28° 45' East 100 feet to a point; thence South 7° 0' East 67.5 feet to a point; thence South 2° 30' East 100 feet to a point; thence South 34° 30' East 91 feet to a point; thence South 62° 0' West 400.15 feet to a point; thence North 89° 46' West 409.10 feet to the place of beginning as per survey by Kappelmann-Hammer Associates, Inc.

ORDERED: 2. That Applicants be, and are, hereby directed to file a new tariff amending the sheets containing the map and legal description of its service area on or before October 28, 1980.

ORDERED: 3. That, for ratemaking purposes, nothing herein contained shall be construed by the Commission as a finding of value for the properties herein involved nor as an acquiescence in the value placed on said properties by the parties.

ORDERED: 4. That this Report and Order shall become effective on the 30th day of September, 1980.

BY THE COMMISSION

D. Michael Hearst

D. Michael Hearst
Secretary

(S E A L)

Slavin, Chm., McCartney, Fraas,
Dority and Bryant, CC., Concur.

Dated at Jefferson City, Missouri,
this 28th day of August, 1980.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission,
at Jefferson City, this 28th day of August 1980

D. Michael Hearst
D. Michael Hearst
Secretary