



5. Developer caused a “Declaration of Restrictions for Reflections Subdivision” to be recorded on March 5, 2002 with the Camden County, Missouri Recorder in Book 0530 on Page 0243, *et seq.* (the “Master Declaration”), pursuant to which the Reflections Subdivision Master Association, Inc. (the “Association”) is the entity charged with the operation of the water and sewer facilities serving the Reflections subdivision.<sup>1</sup>

6. GSB and Association are each parties to the Amended and Restated Agreement for Sale of Utility System that is one of the proposed transactions under consideration in this docket (the “Transfer Agreement”).

7. By its Order dated December 20, 2018, the Commission established an intervention deadline of January 18, 2019. This Applicant believed it had timely filed this Application prior to such date; and served the persons who were then parties. However, the undersigned later learned that the final step to submit the Application on the Commission’s electronic filing system had inadvertently failed to have been taken. The undersigned has contacted counsel for all other parties to this docket; and none of such parties oppose the Applicant’s late intervention

8. The Commission may allow intervention where a person has an interest in the proceeding which is different from that of the general public and which may be adversely affected by a final order arising from the case. 4 CSR 240-2.075(3)(A). Intervention is also permitted where granting intervention would serve the public interest. 4 CSR 240-2.075(3)(B).

9. GSB meets the standards for intervention set forth in 4 CSR 240-2.075. As the owner of the assets the Applicant seeks to acquire and of the remainder of the Reflections subdivision that has not yet been developed, GSB possesses “an interest which is different from

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<sup>1</sup> The three existing condominium buildings are, further, subject to a condominium declaration pursuant to which the Reflections Condominium Owners Association, Inc. (the “COA”) was organized.

that of the general public and which may be adversely affected by a final order arising from the case.” 4 CSR 240.2.075(3)(A). GSB’s interests include both the transfer of the assets to a competent utility; and the rates that will apply for the development, because that rate structure will impact the marketability of the remainder of the development.

10. GSB has a substantial and direct interest in the outcome of this proceeding. Specifically, GSB has a substantial and direct interest in the transfer of the utility systems to a competent operator and in the rates that will be applied to the development.

11. GSB also has an interest in ensuring that the proposals of other parties that are advanced through testimony, legal arguments, or settlement discussions related to this issue do not adversely impact the interests of GSB.

12. GSB may be adversely impacted by the Commission’s final order in this proceeding, as GSB continues to be responsible for the development, excepting only the existing three condominium buildings.

13. GSB supports the applicant’s proposed acquisition of the water and sewer facilities serving the Reflections subdivision pursuant to the Transfer Agreement. However, GSB requires additional information concerning the rate of return premium and debt acquisition adjustment that the applicant is requesting, in order to respond to such requests.

14. GSB’s interests in this proceeding are unique from and not adequately represented by other parties that have or may seek to intervene, including the COA, as such other persons have unique interests and perspectives. As such, GSB’s interests cannot be adequately represented by any other party in this proceeding.

15. Correspondence, communications, orders and decisions in this matter should be addressed to:

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**WHEREFORE**, for the foregoing reasons, Great Southern Bank respectfully requests that the Commission grant its Application to Intervene in this matter.

Respectfully submitted,

**SANDBERG, PHOENIX & VON  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing pleading has been served by electronic means on all parties of record as reflected in the records maintained by the Secretary of the Commission through the EFIS system.

/s/Sharon Ludwig