

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

In the Matter of the Application of Elm Hills Utility	)	
Operating Company, Inc., for a Certificate of	)	Case Nos. WA-2019-0235
Convenience and Necessity	)	and SA-2019-0236,
	)	Consolidated

**APPLICATION TO INTERVENE OUT OF TIME**  
**BY THE CITY OF SEDALIA**

The City of Sedalia (“Sedalia”) hereby respectfully moves this Commission, pursuant to Rule 4 CSR 240-2.075, for an Order granting its intervention as a party in these two consolidated cases. In support of this application and motion, Sedalia states as follows:

1. Sedalia is a Third Class city and the seat of Pettis County with a population of over 21,000. Founded in 1860, and incorporated in 1864, Sedalia has since 1899 been home to the Missouri State Fair and welcomes nearly 400,000 visitors every August to the third largest State Fairgrounds in the United States of America.

2. Correspondence, communications, orders and the decision in these two cases should be addressed to:

Peggy A. Whipple  
Healy Law Offices, LLC  
514 E. High St., Suite 22  
Jefferson City, MO 65101  
Telephone: (573) 415-8379  
Facsimile: (573) 415-8379  
Email: [peggy@healylawoffices.com](mailto:peggy@healylawoffices.com)

3. Sedalia has a significant interest that is different from that of the other parties and the general public because the service area for which Elm Hills Utility Operating Company seeks a Certificate of Convenience and Necessity is within Sedalia’s city limits. Thus, the

“Service Area Map” that is attached as Appendix A to the applications filed by Elm Hills Utility Operating Company – which indicates the service area to be outside Sedalia’s city limits – is either outdated or in error.

6. Notice of these two cases was received at the general City of Sedalia address, but was then duly routed to its Department of Public Works which administers Sedalia’s water and sewer systems, and to Sedalia’s City Attorney. On the evening of April 1, 2019, Sedalia’s City Council authorized the filing of this Application.

7. Sedalia’s intervention and participation in these two cases will serve the public interest by clarifying the issues under consideration, ensuring completeness of the record, and assisting the Commission in its decision-making in these cases, and Sedalia thus requests to become a party to these cases for all purposes.

8. The Commission is authorized by 4 CSR 240-2.075(10) to grant Sedalia’s Application even though it has been filed after the March 6, 2019 intervention date.

9. Sedalia hereby affirmatively accepts the record established in these cases, including the requirements of any orders of the Commission, as of the date of the filing of this Application.

10. No party to these cases will be adversely impacted or prejudiced by granting Sedalia’s Application.

WHEREFORE, Sedalia respectfully requests that the Commission grant its Application to Intervene on its behalf, entitling it to fully participate in these two cases.

Respectfully submitted,

HEALY LAW OFFICES, LLC

/s/ Peggy A. Whipple  
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Dated: April 3, 2019

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to all parties on the official service list for these cases on this 3rd day of April, 2019.

/s/ Peggy A. Whipple  
Peggy A. Whipple