

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

In the Matter of the Application of Confluence)	
Rivers Utility Operating Company, Inc., for)	
Authority to Acquire Certain Water and Sewer)	File No. WA-2019-0299
Assets and for a Certificate of Convenience)	File No. SA-2019-0300
and Necessity)	

**APPLICATION TO INTERVENE
OF LAKE PERRY LOT OWNERS ASSOCIATION**

COMES NOW Lake Perry Lot Owners Association (“Lake Perry LOA”), and, pursuant to 4 C.S.R. 240-2.075, files its Application to Intervene, and in support thereof states as follows:

1. Lake Perry LOA is a nonprofit mutual benefit corporation organized under the laws of the state of Missouri. Formed in August 2003, one of the purposes of the Lake Perry LOA is, “To act in the common interest of the home owners and lot owners in and near Lake Perry and to maintain and promote a high standard of quality in the appearance, safety, and peaceful enjoyment of the streets, roads, and grounds within Lake Perry, and to maintain and upkeep common grounds, facilities, and equipment, and to engage in any lawful act or activities in furtherance of all the foregoing.” Attached hereto as Exhibit A is a copy of the Articles of Incorporation of Lake Perry LOA. Lake Perry consists of approximately 600 lots, to which Port Perry Service Company provides water and sewer service to certain lots.

2. The legal name and address of Lake Perry LOA is:

Lake Perry Lot Owners Association
Richard DeWilde, President
1300 Brenda Ave
Perryville, MO 63775
rt dewilde@sbcglobal.net
(573) 547-6596

3. Lake Perry LOA's interest in this case is different than the interest of the general public in that it represents the entirety of the customer base of Port Perry Service Company.

Lake Perry LOA seeks to become a party to this case for all purposes.


4. Correspondence, communications, orders and decisions in this case may be directed to the above referenced President of Lake Perry LOA as well as the undersigned legal counsel.

5. Lake Perry LOA is opposed to the Application.

6. There is good cause to grant Lake Perry LOA intervention in this case. Lake Perry LOA represents the interests of the customers of Port Perry Service Company. It has a critical interest in representing the interests of the lot owners in their water and sewer services before this Commission.

WHEREFORE, for the foregoing reasons, Lake Perry LOA respectfully requests the Commission grant its Application to Intervene in this matter.

Respectfully submitted,

By: 

David C. Linton, #32198
314 Romaine Spring View
Fenton, MO 63026
Telephone: 314-341-5769
Email: dlinton@mlklaw.com

Attorney for Lake Perry Lot Owners
Association

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Application to Intervene was sent to all parties of record in File No. WA-2019-0299 and SA-2019-0300 via electronic transmission this 3rd day of April, 2019.

Handwritten signature of David C. Linton in black ink, written in a cursive style. The signature is positioned above a solid horizontal line that spans the width of the signature.

Exhibit A

STATE OF MISSOURI
OFFICE OF SECRETARY OF STATE
MATT BLUNT
SECRETARY OF STATE
Articles of Incorporation of a Nonprofit Corporation

File Number: 200325411225
Charter # N00540683
Date Filed: 08/25/2003 05:53 PM
Matt Blunt
Secretary of State

HONORABLE MATT BLUNT
SECRETARY OF STATE
STATE OF MISSOURI
P O BOX 778
JEFFERSON CITY MO 65102

The undersigned natural persons of the age of 18 years or more for the purpose of forming a corporation under the Missouri Nonprofit Corporation Act adopt the following Articles of Incorporation:

1. The name of the corporation is **Lake Perry Lot Owners' Association.**
2. This corporation is a **Mutual Benefit Corporation.**
3. The period of duration of the corporation is **perpetual.**
4. The name and street address of the Registered Agent and Registered Office in Missouri is:
Dale E. Gerecke, 3113 Independence Street, P. O. Box 1300, Cape Girardeau, MO 63702-1300.
5. The names and addresses of each incorporator:
Syl Biermann, 1362 Dutch Mill Drive, Manchester, MO 63011
Winona McConachie, 1088 Port Perry Drive, Perryville, MO 63775
6. Does the corporation have members? **Yes**
7. The assets of the corporation will be distributed on dissolution as follows:
 - a. **Distribution to all known and outstanding creditors to pay, satisfy and discharge all debts, obligations and liabilities of the corporation; and**
 - b. **Distribution of remaining assets, if any, to the successor corporation or entity, if any, which may then be in existence to act in the common interest of the home owners and lot owners as a home owner, lot owner and community improvement association for Lake Perry in Perry County, Missouri; and**
 - c. **Distribution of remaining assets, if any, of the corporation to its members.**
8. The corporation is formed for the following purposes:
 - a. **To engage and transact any lawful business as a home owner, lot owner and community improvement association for Lake Perry in Perry County, Missouri; and**
 - b. **To accomplish these purposes, the corporation shall have the power to hold, acquire, own, lease, mortgage, convey or sell or otherwise acquire or dispose of real and personal property; and**
 - c. **To enter into whatever agreements are necessary to carry out all the corporation's powers and purposes; and**




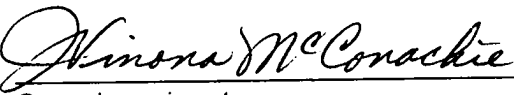
- d. To acquire by purchase, lease, or otherwise any and all real and personal property necessary and incidental to the fulfillment of all of the corporation's powers and purposes; and
- e. To raise money and to accept gifts of money or property; and
- f. To act in the common interest of the home owners and lot owners in and near Lake Perry and to maintain and promote a high standard of quality in the appearance, safety, and peaceful enjoyment of the streets, roads and grounds within Lake Perry, and to maintain and upkeep common grounds, facilities, and equipment, and to engage in any lawful act or activities in furtherance of all the foregoing; and
- g. To engage and transact any lawful business and to do any and all acts permitted and to have all other such legal powers permitted under the provisions of Chapter 355 of the General Not for Profit Corporation Law of Missouri.

9. The effective date of this document is **the date it is filed** by the Secretary of State of Missouri.

In Affirmation of the facts stated above:

Signed by Incorporators:

	Syl Biermann	8/11/03
Organizer signature	Printed name	Date

	Winona McConachie	8-15-03
Organizer signature	Printed name	Date

Dated at Perryville, Missouri this 15th day of August, 2003.

State of Missouri



Matt Blunt
Secretary of State

CERTIFICATE OF INCORPORATION MISSOURI NONPROFIT

WHEREAS, duplicate originals of Articles of Incorporation of

Lake Perry Lot Owners' Association
N00540683

have been received and filed in the Office of the Secretary of State, which Articles, in all respects, comply with the requirements of Missouri Nonprofit Corporation Law;

NOW, THEREFORE, I, MATT BLUNT, Secretary of State of the State of Missouri, do by virtue of the authority vested in me by law, do hereby certify and declare this entity a body corporate, duly organized this date and that it is entitled to all rights and privileges granted corporations organized under the Missouri Nonprofit Corporation Law.

IN TESTIMONY WHEREOF, I have set my hand and imprinted the GREAT SEAL of the State of Missouri, on this, the 25th day of August, 2003.

Matt Blunt

Secretary of State

