

Butcher & Cline
Attorneys at Law
32 North 8th Street
Columbia, Missouri 65201

JAMES C. BUTCHER
CULLEN CLINE
WILLIAM A. MALLORY

September 26, 1978

440-4190
AREA CODE 314



PUBLIC SERVICE COMMISSION

Secretary
Missouri Public Service Commission
P. O. Box 360
Jefferson City, MO 65101

Gentlemen:

Enclosed please find an original and nine conformed copies of an application for certificate of public convenience, permission and approval for the construction and maintenance of a public sewer system in an unincorporated area of Boone County. Also enclosed are attachments as cited in the pleading.

One copy has been sent to Public Counsel as required by Commission rules. If you have any difficulty with this filing, please advise me as soon as possible. We would like to have the matter placed on the Commission's docket at your earliest possible convenience. Thank you for your cooperation.

Sincerely,

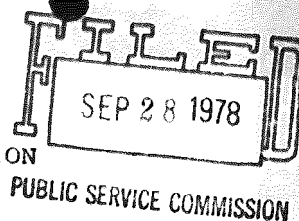
BUTCHER, CLINE & MALLORY

Cullen Cline
Cullen Cline

CC:m

copy: Office of Public Counsel of
the Division of Consumer Affairs.

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI



In regard to the Matter of:

The Application of Sunrise
Sanitation Systems, Inc.
for Permission, Approval and
Certificate of Convenience
and Necessity Authorizing
it to Construct, Install, Own,
Operate, Control, Manage and
Maintain a Sewer System for the
Public Located in an Unincorporated
Area in Boone County, Missouri.

Case No. SA-79-89

APPLICATION

Comes now Sunrise Sanitation Systems, Inc., hereinafter
called APPLICANT and pursuant to §393.170 RSMo. 1969 and CSR
240-2.170 and states as follows:

1. The Applicant is a Missouri corporation duly
organized and existing under the laws of the State of Missouri.
Its principal office and place of business is 27 Southern Drive,
Columbia, Boone County, Missouri. The Applicant is a public
utility as defined in §386.020 RSMo. 1969. The Applicant proposes
to render sewer services to the public under jurisdiction of the
Public Service Commission. A copy of the Certificate of Incorpora-
tion and Articles of Incorporation are attached to this Application
as Exhibit 1.
2. Correspondence, communications and other matters in
regard to this Application should be addressed to Sunrise Sanitation
Systems, Inc. in care of Bob Bassett, 27 Southern Drive, Columbia,
Missouri 65201; Harry C. Winfrey, C.P.A., Strollway Centre, Columbia,
MO. 65201; and Cullen Cline, BUTCHER, CLINE & MALLORY, 32 North 8th
Street, Columbia, Missouri 65201.
3. The Applicant requests permission, approval and
Certificate of Public Convenience and Necessity to install, own,
acquire, construct, operate, control, manage and maintain a sewer
system for the public in an unincorporated area in Boone County,
Missouri as set forth on the map attached to this application.
as Exhibit 2 and legally described by metes and bounds on the

exhibit attached hereto and marked Exhibit 3.

4. The Applicant has completed a feasibility study and the same is attached to this Application and made a part hereof as Exhibit 4.

5. There are no municipalities located within the proposed areas and the Applicant is not required by the Boone County Court to obtain a franchise to operate in the County. (Exhibit 5)

6. Said sewer system meets all requirements of the Commission and Department of Natural Resources. A copy of the construction permit which was issued by the Department of Natural Resources is attached hereto and made a part of this Application and numbered Exhibit 6.

7. There are no public utilities or other governmental bodies being operated or rendering sewer service within the area proposed to be served.

8. The area the Applicant requests permission to serve is rapidly being developed into a subdivision by the developer and plans are being made to build residential homes within this area. Adequate sewer service is required. Therefore, a public need exists for adequate sewer service within the area proposed to be served and the public convenience and necessity will be promoted by the granting of the authority herein requested.

9. Names and addresses of ten residents of the proposed service area who are also owners of the land are attached hereto and marked Exhibit 7.

WHEREFORE, the applicant requests the Commission to grant it permission, approval and a Certificate of Convenience and Necessity which will authorize it to install, acquire, build, construct, own and operate as well as control, manage and maintain a sewer system for the public within the area referred to above, and for such other orders as the Commission shall deem fitting and proper, including the setting of rate charges.

ATTEST:

Michael Murphy
Secretary

SUNRISE SANITATION SYSTEMS, INC.
By: [Signature]
President

[Signature]
CULLEN CLINE
BUTCHER, CLINE & MALLORY
32 N. 8th St.
Columbia, MO. 65201
ATTORNEY FOR APPLICANT



STATE of MISSOURI

JAMES C. KIRKPATRICK, Secretary of State

Corporation Division

Certificate of Incorporation

WHEREAS, duplicate originals of Articles of Incorporation of

SUNRISE SANITATION SYSTEMS, INC.

have been received and filed in the office of the Secretary of State, which Articles, in all respects, comply with the requirements of The General and Business Corporation Law:

NOW, THEREFORE, I, JAMES C. KIRKPATRICK, Secretary of State of the State of Missouri, by virtue of the authority vested in me by law, do hereby certify and declare

SUNRISE SANITATION SYSTEMS, INC.

a body corporate, duly organized this day and that it is entitled to all rights and privileges granted corporations organized under The General and Business Corporation Law; that the address of its initial Registered Office in Missouri is

32 North 8th Street, Columbia 65201

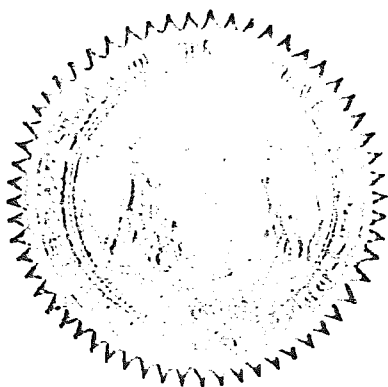
that its period of existence is perpetual; and that the

amount of its Authorized Shares is

1000 @ no par value

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the GREAT SEAL of the State of Missouri, at the City of Jefferson, this 13th day of June, 1978

James C. Kirkpatrick
Secretary of State



RECEIVED OF: SUNRISE SANITATION SYSTEMS, INC.

Fifty-three and no/00-----Dollars, \$ 53.00

For Credit of General Revenue Fund, on Account of Incorporation Tax and Fee.

No. 00201483

Dorothy M. Miller
Deputy Collector of Revenue



State of Missouri... Office of Secretary of State

JAMES C. KIRKPATRICK, Secretary of State

Articles of Incorporation

(To be submitted in duplicate by an attorney)

HONORABLE JAMES C. KIRKPATRICK
SECRETARY OF STATE
STATE OF MISSOURI
JEFFERSON CITY, MO. 65101

The undersigned natural person(s) of the age of eighteen years or more for the purpose of forming a corporation under The General and Business Corporation Law of Missouri adopt the following Articles of Incorporation:

ARTICLE ONE

The name of the corporation is: Sunrise Sanitation Systems, Inc.

ARTICLE TWO

The address, including street and number, if any, of the corporation's initial registered office in this state is: _____

32 North 8th Street, Columbia, Missouri 65201

and the name of its initial agent at such address is: Cullen Cline

ARTICLE THREE

The aggregate number, class and par value, if any, of shares which the corporation shall have authority to issue shall be:

1000 shares, no par value

The preferences, qualifications, limitations, restrictions, and the special or relative rights, including convertible rights, if any, in respect of the shares of each class are as follows: none

FILED AND CERTIFICATE OF
INCORPORATION ISSUED

JUN 13 1978

James C. Kirkpatrick

CLARENCE D. H. SECRETARY OF STATE

ARTICLE FOUR

~~The extent, if any, to which the prescriptive right of a shareholder to acquire additional shares is limited or denied: -~~

The number and class of shares to be issued before the corporation shall commence business, the consideration to be paid therefor and the capital with which the corporation will commence business are as follows:

<u>No. of Shares</u>	<u>Class</u>	<u>Consideration to be paid</u>	<u>Stated Capital</u>
100	common	\$500.00	\$500.00

The corporation will not commence business until consideration of the value of at least Five Hundred Dollars has been received for the issuance of shares

ARTICLE FIVE

The name and place of residence of each incorporator is as follows:

Name

Street

Robert Bassett

32 North 8th Street

Columbia, Mo. ^{City} 65201

ARTICLE SIX

(Designate which and complete the applicable paragraph)

☐ The number of directors to constitute the first board of directors is 1. Thereafter the number of directors shall be fixed by, or in the manner provided in the bylaws. Any changes in the number will be reported to the Secretary of State within thirty calendar days of such change.

or

☐ The number of directors to constitute the board of directors is . (The number of directors to constitute the board of directors must be stated herein if there are to be less than three directors. The persons to constitute the first board of directors may, but need not, be named).

ARTICLE SEVEN

The duration of the corporation is perpetual

ARTICLE EIGHT

The corporation is formed for the following purposes:

To acquire, construct, improve or extend, to maintain and operate a sewage system. To construct, maintain and operate a sewage treatment plant or plants, together with all appurtenances necessary, useful and convenient therefor for the collection, treatment, purification and disposal in a sanitary manner of liquid and solid waste, sewage, domestic and industrial waste of any type; To acquire, construct, improve, maintain and extend any storm water or combined storm water and sanitary system or disposal system therefor. To acquire real and personal property in furtherance of the above purposes. To operate all phases of said system for profit. To apply for and cause to be set by the Commission and charge and collect for said services rates as shall be approved by the Public Service Commission. To exercise all powers of the corporation as enumerated in Section 351.385 of the Revised Missouri Statutes, 1969, as amended. To have all such powers as are provided in Chapter 393 of the Revised Missouri Statutes, 1969, as amended, and to have and exercise all powers necessary and convenient to effect any or all of the above purposes for which this corporation is formed.

IN WITNESS WHEREOF, these Articles of Incorporation have been signed this 7th day

of June, 1978.

Robert E. Gaudel

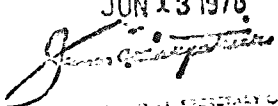
STATE OF MISSOURI
COUNTY OF BOONE ss.

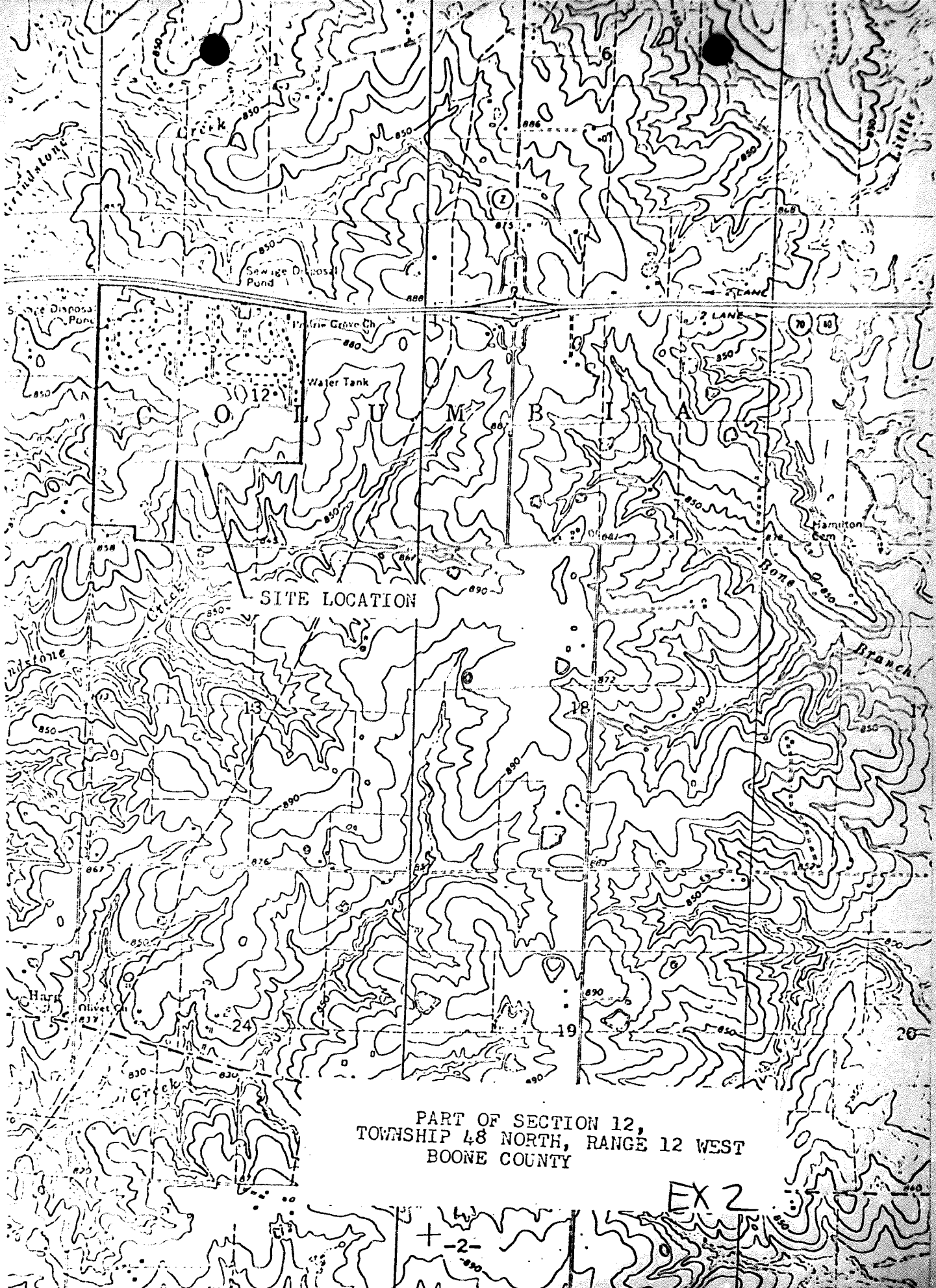
I, Marie D. Obermiller, a notary public,
do hereby certify that on the 7th day of June, 1978, personally appeared
before me, Robert E. Bassett (and _____)
who being by me first duly sworn, (severally) declared that he is (they are) the person(s) who signed the foregoing document as incorporator(s), and that the statements therein contained are true.


Notary Public
Marie D. Obermiller

My commission expires September 3, 1978.

FILED AND CERTIFICATE OF
INCORPORATION ISSUED

JUN 13 1978

JAMES C. [illegible] SECRETARY OF STATE



PART OF SECTION 12,
TOWNSHIP 48 NORTH, RANGE 12 WEST
BOONE COUNTY

EX 2

+ -2-

A tract of land located in Section 12, Township 48 North, Range 12 West, in Boone County, Missouri, described as follows: Beginning at an iron in the quarter corner on the West (W) line of the said Section 12; thence with the mid-section line South (S) 89° 53' E, 1323 feet to an iron corner post set in concrete, the one quarter-one quarter ($\frac{1}{4}$) corner; thence South (S) 0° 10' W, 1359.2 feet to an iron in the one quarter-one quarter ($\frac{1}{4}$) corner; thence South (S) 89° 15' E, 1982.9 feet to an iron; thence North (N) 0° 18' E, 2485.8 feet to an iron on the right-of-way of Interstate Highway 70; thence along the said right-of-way line North (N) 76° 3' W, 4 feet to a point; thence North (N) 81° 28' W, 1228.2 feet to a point; thence North (N) 75° 45' W, 100.5 feet to a point; thence North (N) 81° 28' W, 453.7 feet to a point; thence with a 0° 30' curve left, 1553.7 feet to an iron on the West (W) line of Section 12; thence with the said West (W) line South (S), 1498.9 feet to the point of beginning and containing 163.68 acres, more or less.

The same lands as set out in the Plat of Sunrise Estates Subdivision as shown in Plat Book 7, Page 10 and later re-platted in Plat Book 7, Page 46, the same land being re-platted again at Plat Book 9, Page 27 and Plat Book 9, Page 40.

AND, a tract of land located in the West (W) one quarter ($\frac{1}{4}$) section of Section 12, Township 48 North, Range 12 West, and more particularly described as follows: Beginning at the West (W) one quarter ($\frac{1}{4}$) section corner of Section 12-48-12, also being the Southwest (SW) corner of Lot 9 of the Re-Plat of Sunrise Estates Subdivision; thence South (S) 89° 53' E along the center section line and the South (S) line of the Re-Plat of Sunrise Estates Subdivision 1005.1 feet to the Northwest (NW) corner of a survey recorded in Book 392, Page 782; thence following the said survey South 0° 7' West 135 feet; thence South 89° 53' East (E) 240 feet; thence North (N) 0° 7' E 135 feet to the Northeast (NE) corner thereof, and being on the center section line; thence along the said line South (S) 89° 53' E, 75.0 feet to the West (W) line of the Re-Plat of Sunrise Estates Subdivision and being the East (E) line of the West (W) one half ($\frac{1}{2}$) of the Southwest (SW) quarter ($\frac{1}{4}$) of the said Section 12-48-12; thence along the said line South (S) 0° 7' W, 185 feet; thence North (N) 89° 53' W along the North (N) line of a survey recorded in Book 383, Page 879, 255.0 feet to the Northwest (NW) corner

thereof; thence South (S) 0° 7' West along the said survey 165 feet; thence North 89° 53' West 1067.0 feet to the West (W) line of Section 12-48-12; thence North (N) 0° 24' East along the said section line 350 feet to the beginning and containing 8.90 acres.

The same being Sunrise Estates Subdivision, Block 2, as recorded in Plat Book 10, Page 1.

AND, Tracts A and B of a survey recorded in Book 392, Page 782 of the Boone County Records,

AND, a tract as shown in a survey recorded in Book 208, Page 879 of the Boone County Records.

AND, a tract of land located in the Southwest (SW) quarter ($\frac{1}{4}$) of Section 12, Township 48 North, Range 12 West described as follows: Starting in the Northwest (NW) corner of Section 12-48-12 as shown by Sunrise Estates Subdivision, Block 2; thence South (S) 0° 24' W along the Section line 350 feet to the Southwest (SW) corner of the said Subdivision, the point of beginning. From the point of beginning South (S) 89° 53' East along the South (S) line of Sunrise Estates Subdivision, Block 2 1067.0 feet to the West (W) line of a survey recorded in Book 383, Page 879; thence following the said survey South (S) 0° 7' West, 15 feet; thence South (S) 89° 53' E, 205 feet to the East (E) line of a quit-claim deed recorded in Book 425, Page 948; thence North (N) 0° 7' E, 180 feet to the Northeast (NE) corner thereof and being the line of Sunrise Estates Subdivision, Block 2; thence South (S) 89° 53' East, 50 feet to the West (W) line of the Re-Plat of Sunrise Estates Subdivision and being the East (E) line of the West (W) one half ($\frac{1}{2}$) of the Southwest (SW) quarter ($\frac{1}{4}$) of Section 12-48-12; thence 0° 7' West along the said line 715.3 feet to the Northwest (NW) corner of Lot 35, Re-Plat of Sunrise Estates Subdivision; thence South (S) 89° 53' East along the North (N) line of Lot 35 and 34 of the said Subdivision 310 feet to the Northeast (NE) corner of the said lot 34; thence South (S) 0° 7' West 262.4 feet to the South (S) line of Southern Drive; thence North (N) 89° 18' West along the said line 7.8 feet to the Northeast (NE) corner of Lot 37; thence South (S) 0° 42' West, 200 feet to the Southeast (SE) corner thereof; thence North (N) 89° 18' West along the South (S) line of the Re-Plat of Sunrise Estates Subdivision 300 feet to

the Southwest (SW) corner thereof; thence North (N) 0° 7' East along the West (W) line of the Subdivision 135.0 feet; thence North (N) 89° 53' West, 148.55 feet; thence along a curve to the left, having 150.0 foot radius, the cord being South (S) 4° 8' W, 20 feet to the P.T. thereof; thence North (N) 89° 53' West, 50.0 feet; thence along a curve to the right, having a 200.0' radius, the cord being North (N) 14° .04 E 96.15 feet; thence North (N) 74° 24' West, 139.6 feet; thence North (N) 59° 54' West, 315 feet; thence South (S) 69° 20' West, 98.1 feet; thence South (S) 30° 6' West, 210.0 feet; thence North (N) 59° 12' West, 139.1 feet; thence North (N) 75° 3' West 56.0 feet; thence North (N) 49° 29' West, 154.5 feet; thence North 30° 6' East, 200.0 feet; thence North (N) 71° 37' West, 370.7 feet to the Section line; thence North (N) 0° 24' East, along the section line 348.3 feet to the point of beginning, containing 23.69 acres, all in Boone County.

The same tract being Block 3 of Sunrise Estates Subdivision as recorded in Plat Book 11, Page 253,

AND, a tract of ground described as Tract 2 shown in a survey recorded at Book 388, Page 253 and located in the Southeast (SE) quarter ($\frac{1}{4}$) of the Southwest (SW) quarter ($\frac{1}{4}$) of Section 12, Township 48 North, Range 12 West, Boone County, Missouri.

IN THE COUNTY COURT OF BOONE COUNTY, MISSOURI

In Re the Matter of:

SUNRISE SANITATION SYSTEMS, INC.

SEP 19 1978

O R D E R


The Boone County Court, upon application of Sunrise Sanitation Systems, Inc. for franchise to operate a private sewer company in the County of Boone notes the following:

Boone County does not furnish sewer service within the County.

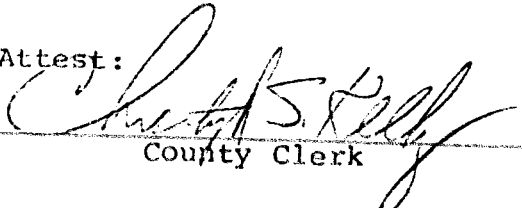
Boone County Court does not grant franchises for operation of private sewer companies within the County.

The proposed application does not overlap existing sewer services.

Therefore, your request for issuance of a franchise is denied.


Presiding Judge

Attest:


County Clerk

MISSOURI CLEAN WATER COMMISSION
AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the Federal Water Pollution Control Act, Public Law 92-500, 92nd Congress, (Hereinafter, the Act) as amended, and the Missouri Clean Water Law, (Chapter 204 R.S.Mo. Cum. Supp. 1973, hereinafter, the Law),

Owner: Columbia Sunrise Estates, Inc.

Owner's Address: 1407 Robert Ray Drive, Columbia, Missouri 65201

Facility Name: Sunrise Estates Subdivision (Northwest)

Facility Address: Columbia, Missouri 65201

Legal Description: NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 12, T48, R12, Boone County

Receiving Stream & Basin: Hinkson Creek, Missouri River Basin

is authorized to discharge from the facility described herein, in accordance with effluent limitations and monitoring requirements as set forth herein:

FACILITY DESCRIPTION

A 2-cell waste stabilization lagoon system with water surface areas of 20,736 and 8,900 sq. ft. at the 3-foot operating level, and all the necessary appurtenances to make the facilities complete and usable. These facilities are to serve the northwest part of Sunrise Estates located 2 miles east of Columbia on the south side of I-70. The waste stabilization lagoon is designed to treat the wastes from a population equivalent of 95 with a flow of 9,500 gal/day.

This permit shall become effective on March 19, 1976, unless appealed in accordance with Section 204.051.6 of the Law.

This permit and the authorization to discharge shall expire at midnight, 3/18/81

Dated this 19th day of March 1976.

ORIGINAL SIGNED BY



James L. Wilson

Director, Department of Natural Resources
Permit Administrator for Missouri Clean Water Commission

EX6

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from outfall(s) with serial number(s) as specified in the application for this permit. The effluent limitations shall become effective on the dates specified herein. Such discharges shall be controlled, limited and monitored by the permittee as specified below:

EFFLUENT LIMITATIONS

MONITORING REQUIREMENTS

Effluent Parameter(s)	Interim Limitations	Interim Limitations	Final Limitations	Measurement Frequency	Sample Type
	Issuance	1/1/77	7/1/77		
Flow Rate	Daily Average	Daily Average	Daily Average		
Flow Rate and Effluent Parameter(s)	Daily Average	Daily Average	Daily Average		
Outfall #001					
Flow Rate (MGD)	N/A	N/A	N/A	once/month	N/A
Biological Oxygen Demand	70 mg/l	50 mg/l	30 mg/l	once/3 months	grab
Suspended Solids	N/A	N/A	30 mg/l	once/3 months	grab
Fecal Coliform organisms/100 ml	N/A	N/A	200	once/3 months	grab
pH - Units (Not to be averaged)	N/A	N/A	6.0-9.0	once/3 months	grab
Dissolved Oxygen	N/A	N/A	*	once/3 months	grab
Temperature	N/A	N/A	N/A	once/3 months	N/A
* The minimum level of dissolved oxygen shall be 80% of saturation or 6.0 mg/l, whichever is least.					

Monitoring reports shall be submitted quarterly, the first report is due 7/28/76

There shall be no discharge of floating solids or visible foam in other than trace amounts.

STANDARD CONDITIONS

In addition to specified conditions stated herein, this permit is subject to the attached standard conditions dated October 1, 1975, and hereby incorporated fully set forth herein.

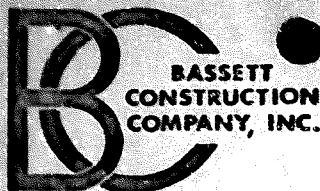
STATE OF COMPLIANCE

See Attached

SCHEDULE OF COMPLIANCE

The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

1. Submit a report with an analysis of actual sampling data demonstrating that present treatment meets the final effluent limitations by December 1, 1976
OR
2. If sampling data indicates an inability to meet the final effluent limitations, initiate action to achieve the effluent limitations in accordance with the following schedule:
 - (a) Completion of engineering report for improved sewage works by 3/1/77
 - (b) Completion of detailed engineering plans and specifications by 5/1/77
 - (c) Completion of construction of sewage works improvement by 6/1/77
 - (d) Achieve compliance with final effluent limitations by 7/1/77
3. The above plans and specifications must be approved by the Department of Natural Resources before start of construction.
4. Permittee shall comply with Missouri Clean Water Commission Report on Investigation dated 10/21/75 by 4/1/76.



Sunrise Estates

8/14/78

27 SOUTHERN DRIVE, COLUMBIA, MISSOURI 65201, (314) 474-6511

1. Gregory Crist - Lot 29 - Block 3 - Southern Drive
Columbia, Missouri - 65201
2. Harold Curtis - Lot 11 - Block 3 - Southern Drive
Columbia, Missouri - 65201
3. David Dunning - Lot 23 - Block 3 - Southern Drive
Columbia, Missouri - 65201
4. William Frost - Lot 16 - Block 3 - Southern Drive
Columbia, Missouri - 65201
5. Paul Hendricks - Lot 33, Block 3 - Southern Drive
Columbia, Missouri - 65201
6. James Murphy - Lot 39, Block 3 - Southern Drive
Columbia, Missouri - 65201
7. George Norman - Lot 10, Block 3 - Southern Drive
Columbia, Missouri - 65201
8. William Smull - Lot 13, Block 3 - Southern Drive
Columbia, Missouri - 65201.
9. Whitten Lentz - Lot 32, Block 3 - Southern Drive
Columbia, Missouri - 65201.
10. Charles Taylor - 114 Sunnyvale Drive
Columbia, Missouri - 65201



EX7

September 28, 1978

Mr. Cullen Cline
Butcher, Cline & Mallory
32 N. 8th Street
Columbia, Missouri 65201

Re: Case No. SA-79-89

Dear Mr. Cline:

We acknowledge receipt of your letter of September 26, 1978 enclosing the original and nine copies of the application of Sunrise Sanitation Systems, Inc. for a certificate of convenience and necessity to construct and operate a sewer system in an unincorporated area in Boone County, Missouri.

The application has been filed in this office today as Case No. SA-79-89 and called to the attention of the Commission.

You will be informed when further action is taken in this matter.

Sincerely yours,

R. Michael Jenkins
Secretary

RMJ/ac

Primarily

Butcher, Cline & Mallory
Attorneys at Law
32 North 8th Street
Columbia, Missouri 65201

JAMES C. BUTCHER
CULLEN CLINE
WILLIAM A. MALLORY

November 30, 1978

RECEIVED
440-1000
AREA CODE 314

DEC 1 - 1978

PUBLIC SERVICE COMMISSION

SA-79-89

Public Service Commission
100 East Capitol
Jefferson City, MO 65101

Re: Sunrise Sanitation System, Inc.

Gentlemen:

If you will, perhaps you might check your docket scheduling and see if you have any projected hearing date for the application of Sunrise Sanitation System, Inc. If you have such a date, please advise.

Thanks for your cooperation.

Sincerely,

BUTCHER, CLINE & MALLORY

Cullen Cline
Cullen Cline

CC:m

FILED

DEC 1 1978

PUBLIC SERVICE COMMISSION