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February 4, 2000

FILED³

FEB 04 2000

Missouri Public
Service Commission

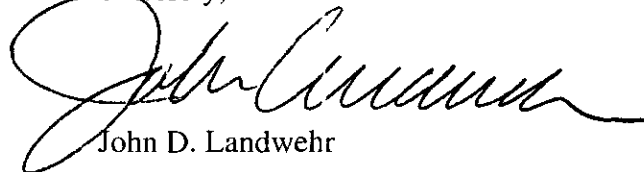
Mr. Dale Hardy Roberts
Executive Secretary
Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Re: Lake Region Water & Sewer Company
Case No. SA-2000-295

Mr. Roberts:

Enclosed for filing in the above matter please find an original and fourteen copies of an Application to Intervene and Request for Leave to File Same out of Time on behalf of Bristol Bay Condominium Owners Association, Inc., The Falls Condominium Owners' Association, Inc. and Regatta Bay Condominium Owner's Association, Inc.

Sincerely,



John D. Landwehr

JDL/db

Enclosures

cc: Gary W. Duffy
Office of Public Counsel

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

FEB 04 2000

Missouri Public
Service Commission

In the matter of the application of Lake)
Region Water & Sewer Company for a)
certificate of public convenience and)
necessity authorizing it to construct,)
install, own, operate, control, manage)
and maintain a centralized sewage)
collection and treatment system in an area)
in an unincorporated area of Camden)
County, Missouri, as an expansion of its)
existing certificated area.)

Case No. SA-2000-295

APPLICATION TO INTERVENE
AND
REQUEST FOR LEAVE TO FILE SAME OUT OF TIME

Come now Intervenors, Bristol Bay Condominium Owners Association, Inc., The Falls
Condominium Owners' Association, Inc. and Regatta Bay Condominium Owner's Association, Inc.
(the "Association Intervenors"), by and through counsel, and state that:

1. Notices, orders and other communications with respect to the above matter and this
application should be sent to:

Karen L. Medders
PMG Services General Manager
P.O. Box 2409
Lake Ozark, MO 65049-2409

John D. Landwehr
Cook, Vetter, Doerhoff & Landwehr, P.C.
231 Madison Street
Jefferson City, MO 65101

2. Association Intervenors are Missouri not-for-profit corporations in good standing
whose principal business activity is to serve the facility needs of a total of three hundred and sixty

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(360) condominium owners located within Applicant's proposed service area. Such needs include, without limitation, the operation and maintenance of private sewer treatment facilities presently functioning with the approval of the Missouri Department of Natural Resources and within the compliance standards of that Department..

3. Applicant's proposal "will allow for the elimination of a number of on site treatment facilities and a number of state approved treatment plants that discharge into the Lake of the Ozarks."¹

4. Applicant's proposal does not clearly state how existing treatment facilities, including those presently owned and operated by the Association Intervenors, would be treated in respect to mandatory participation or assessments irrespective of participation. Application Intervenors cannot state at this time whether they support or oppose the proposed service due to the foregoing ambiguity.

5. Mandatory participation and/or elimination of the treatment facilities of the Association Intervenors would constitute a very substantial waste of capital investments by the Association Intervenors. Assessments irrespective of participation would constitute gross inequity.

6. Association Intervenors' interest in this case is different from that of the general public and such interest cannot be adequately represented by present parties to the case.

7. Association Intervenors first learned of the filing of the Application on or about February 1, 2000. Association Intervenors promptly retained counsel and are now seeking intervention. No evidence has been heard in the case, and no procedural schedule has been set. To the best of Association Intervenors' knowledge, no discovery has commenced. Therefore, allowing

¹See Appendix D, Page 2, Introduction.

this intervention out of time will not prejudice Applicant, the Commission, or any other party. To the contrary, such intervention will allow for a more complete analysis of the application and its effect on the public and other interested parties.

8. Association Intervenors anticipate offering one witness each to testify in opposition to the requested authority unless it is established that Association Intervenors will not be adversely affected by the grant of authority. It is possible that Association Intervenors will not object to the requested authority and will offer no evidence at all.

WHEREFORE, Association Intervenors ask that leave be granted to file this request out of time and that they be made parties as requested herein.

Respectfully submitted,

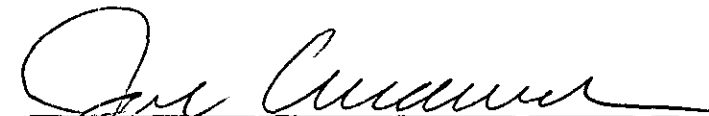


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Attorneys for Association Intervenors

Certificate of Service

I, the undersigned, do hereby certify that a copy of the foregoing document was served upon Applicant via prepaid United States mail this 4th of February, 2000, by mailing a true copy thereof to Gary W. Duffy, Brydon, Swearngen & England P.C., P.O. Box 456, Jefferson City, MO 65102-0456, Attorneys for Applicant. A copy was also served upon the Office of the Public Counsel, P.O. Box 7800, Jefferson City, MO 65102.



John D. Landwehr