

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

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| In the Matter of the Application of Jerry Reed, |) | |
| d/b/a Woodland Acres Water System, for a |) | |
| Certificate of Convenience and Necessity to |) | Case No. WA-2009-0031 |
| Provide Water Service in St. Clair County, |) | |
| Missouri |) | |

MOTION TO AMEND CERTIFICATE OF CONVENIENCE AND NECESSITY

COMES NOW the Staff of the Missouri Public Service Commission (“Staff”), through the undersigned attorney, and files this *Motion* to amend the Certificate of Convenience and Necessity (“CCN”) granted to Jerry Reed, d/b/a Woodland Acres Water System (“Mr. Reed”) to include the correct legal description and map of the certificated service area. For this *Motion*, Staff respectfully states to the Missouri Public Service Commission (“Commission”) the following:

1. On July 21, 2008, Mr. Reed filed an *Application For Certificate Of Convenience And Necessity* (“*Application*”) to provide water service in the Woodland Acres Subdivision, St. Clair County, Missouri. Included in the *Application* was a map and legal description of the service area to be certificated.
2. Pursuant to negotiations held subsequent to Mr. Reed’s and OPC’s receipt of the work-papers of the Staff’s investigation, the parties entered into a *Unanimous Stipulation And Agreement* (“*Agreement*”) regarding the proposed disposition of the *Application*. Included in the *Agreement* as Attachment B was the legal description and map provided to Staff in the *Application*.
3. It has come to Staff’s attention that the wrong map and legal description of the Woodland Acres Subdivision was provided in the *Application*.

4. On July 24, 2009, the Commission issued an *Order Approving Unanimous Stipulation And Agreement*, granting Mr. Reed a CCN to provide water service for the area included in Attachment B of the *Agreement*.

5. Attached, as Appendix A, is the proper map and legal description for Woodland Acres Subdivision. Staff now requests the Commission issue an order amending Mr. Reed's CCN to include the map and legal description within Appendix A.

6. Neither Mr. Reed, nor the Office of Public Counsel object to Staff's request to amend the CCN to include the correct map and legal description within Appendix A.

7. Staff has verified the tariff to be filed by Mr. Reed on or before September 2, 2009, contains the correct map and legal description of the service area, Woodland Acres Subdivision.

WHEREFORE, Staff requests that the Missouri Public Service Commission enter an order to amend the certificated service area of Jerry Reed d/b/a Woodland Acres Water System, to replace the map and legal description contained in Attachment B of the *Unanimous Stipulation And Agreement* with that description contained in Appendix A attached hereto.

Respectfully submitted,

/s/ Jennifer Hernandez

Jennifer Hernandez

Legal Counsel

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via electronic mail on James C. Johns, attorney for the Applicant Jerry Reed, Johns, Lilleston, and Mitchell, L.L.C., at JaniceEversole@hotmail.com; and the Office of Public Counsel at opcservice@ded.mo.gov this 1st day of September 2009.

/s/ Jennifer Hernandez

WOODLAND ACRES PLAT COMBINING ALL LOTS TOGETHER THAT WILL HAVE ACCESS TO WATER TAPS. SIX (6) OF THESE LOTS ARE RECORDED UNDER REED & SCHUMAKER. ONE OF THE WELLS IS AT THE END OF THESE LOTS.

WOODLAND ACRES PLAT COMBINING ALL LOTS TOGETHER THAT WILL HAVE ACCESS TO WATER TAPS. SIX (6) OF THESE LOTS ARE RECORDED UNDER REED & SCHUMAKER. ONE OF THE WELLS IS AT THE END OF THESE LOTS.

DESCRIPTION:

PLAT ONE (1) WOODLAND ACRES

A tract of land in Section 20, Township 39, Range 24, St. Clair County, Missouri described as beginning at the South quarter corner of said Section 20; Thence N 88°37'07" W along the South line of the Southwest quarter of said section a distance of 390.85 feet to a tangent curve to the right along the North Right-of-Way line of Missouri State Route "C" having a radius of 914.93 feet and a chord bearing of N 72°30'17" W; Thence along said curve a distance of 92.45 feet; Thence N 69°27'12" W along said North Right-of-Way line a distance of 683.20 feet to a tangent curve to the left having a radius of 517.46 feet; Thence along said curve a distance of 176.85 feet with a delta angle of 19°34'55" to a point on the West line of the Southeast quarter of the Southwest quarter of said Section 20; Thence N 01°59'39" E along said 1/16th section line a distance of 2362.76 feet to the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 20; Thence S 88°30'47" E along the North line of the Northeast quarter of the Southwest quarter of said Section 20 a distance of 297.59 feet; Thence S 01°29'13" W a distance of 949.58 feet to a tangent curve to the right having a radius of 60.00 feet and a chord bearing of S 08°39'55" E and a delta angle of 159°41'43"; Thence along said curve a distance of 167.23 feet; Thence S 00°39'13" W a distance of 95.26 feet to a tangent curve to the left having a radius of 500.00 feet and a delta angle of 9°39'11"; Thence along said curve a distance of 84.24 feet; Thence S 08°59'58" E a distance of 6.78 feet to a tangent curve to the right having a radius of 1020.00 feet and a delta angle of 18°08'18"; Thence along said curve a distance of 322.91 feet to a tangent curve to the left having a radius of 980.00 feet and a delta angle of 14°49'49"; Thence along said curve a distance of 253.66 feet; Thence S 05°41'29" E a distance of 41.15 feet to a tangent curve to the right having a radius of 520.00 feet and a delta angle of 11°45'03"; Thence along said curve a distance of 106.65 feet; Thence S 06°03'35" W a distance of 180.70 feet to a tangent curve to the left having a radius of 20.00 feet and a delta angle of 99°48'44"; Thence along said curve a distance of 34.84; Thence N 86°14'50" E a distance of 288.03 feet to a tangent curve to the right having a radius of 360.00 feet and a delta angle of 53°58'53"; Thence along said curve 339.17 feet; Thence S 39°46'17" E a distance of 73.00 feet to a tangent curve to the left having a radius of 105.00 feet and a delta angle of 50°23'11"; Thence along said curve a distance of 92.34 feet; Thence N 89°50'32" E a distance of 214.62 feet to the East line of the Southwest quarter of said Section 20; Thence S 02°02'00" W along said East line a distance of 289.59 feet to the Point of Beginning

Legal Description: PLAT TWO (2) WOODLAND ACRES

A tract of land located in the South half of Section 20, Township 39 North, Range 24 West, St. Clair County, Missouri described as follows: Commencing at the Northwest corner of the Northeast quarter of the Southwest quarter of Section 20, Township 39 North, Range 24 West; Thence S 88°30'47" E along the North line of the Southwest quarter of said section a distance of 297.59 feet to the Point of Beginning; Thence S 88°30'47" E continuing along said North line a distance of 366.94 feet; Thence S 01°59'39" W a distance of 2144.60 feet to a point in a curve having a radius of 360.00 feet; Thence left along said curve having a chord bearing of S 86°52'40" W a distance of 7.92 feet; Thence S 86°14'50" W a distance of 288.03 feet to a beginning of a tangent curve to the right having a radius of 20.00 feet; Thence along said curve, having a chord bearing of N 43°50'48" W a distance of 34.84 feet; Thence N 06°03'35" E a distance of 180.71 feet to the beginning of a tangent curve to the left having a radius of 520.00 feet; Thence along said curve, having a chord bearing of N 0°11'04" E, a distance of 106.65 feet; Thence N 05°41'29" W a distance of 41.16 feet to the beginning of a tangent curve to the right having a radius of 980.00 feet; Thence along said curve having a chord bearing of N 01°43'26" E, a distance of 253.66 feet to the beginning of a tangent curve to the left having a radius of 1020.00 feet; Thence along said curve, having a chord bearing of N 0°4'11" E a distance of 322.91 feet; Thence N 08°59'58" W a distance of 6.78 feet to the beginning of a tangent curve to the right having a radius of 480.00 feet; Thence along said curve, having a chord bearing of N 4°10'22" W a distance of 80.87 feet; Thence N 0°39'13" E a distance of 95.26 feet to the beginning of a curve to the left having a radius of 60.00 feet; Thence along said curve, having a chord bearing of N 8°39'56" W a distance of 167.23 feet; Thence N 1°29'13" E a distance of 949.58 feet to the Point of Beginning. And containing 16.65 acres of land all in St. Clair County, Missouri, except roads and subject to any and all restrictions, reservations and easements of record.

Legal Description: PLAT THREE (3) WOODLAND ACRES

A tract of land in Section 20, Township 39, Range 24, St. Clair County, Missouri described as commencing at the South quarter corner of said Section 20; Thence N 02°02'00" E along the East Right-of-Way line of Country Drive of Block 1, Plat 1 of Woodland Acres a distance of 289.59 feet; Thence S 89°50'32" W a distance of 40.03 feet to the Point of Beginning; Thence S 89°50'32" W a distance of 174.59 feet to a tangent curve to the right having a radius of 105.00 feet; Thence along said curve a distance of 92.34 feet; Thence N 39°46'17" W a distance of 73.00 feet to a tangent curve to the left having a radius of 360.00 feet; Thence along said curve a distance of 331.25 feet; Thence N 01°59'39" E a distance of 2144.60 feet; Thence S 88°30'47" E a distance of 1009.07 feet to a curve to the right having a chord bearing of S 50°00'55" W and a radius of 1138.24 feet; Thence along said curve a distance of 444.49 feet to a tangent curve to the left having a radius of 241.54 feet; Thence along said curve a distance of 119.37 feet to a tangent curve to the left having a radius of 21051.17 feet; Thence along said curve a distance of 564.65 feet; Thence S 81°11'58" W a distance of 48.13 feet to a curve to the left having a chord bearing of S 04°28'57" W and a radius of 406.30 feet; Thence along said curve a distance of 176.95 feet to a tangent curve to the right having a radius of 877.28 feet; Thence along said curve a distance of 194.05 feet; Thence S 01°06'52" W a distance of 115.54 feet to a tangent curve to the left having a radius of 1885.49 feet; Thence along said curve a distance of 463.96 feet to a tangent curve to the left having a radius of 95.00 feet; Thence along said curve a distance of 52.72 feet; Thence S 44°46'52" E a distance of 168.77 feet to a tangent curve to the right having a radius of 55.00 feet; Thence along said curve a distance of 44.94 feet; Thence S 02°02'00" W a distance of 287.37 feet to the Point of Beginning. Containing 27.12 acres, more or less.

Legal Description: PLAT FOUR (4) WOODLAND ACRES

A tract of land located in the South half of Section 20, Township 39 North, Range 24 West, St. Clair County, Missouri described as follows: Commencing at the South quarter corner of Section 20; Thence N 02°02'00" E a distance of 289.59 feet to the Point of Beginning; Thence S 89°50'32" W a distance of 40.03 feet; Thence N 02°02'00" E a distance of 287.37 feet to the beginning of a tangent curve to the left having a radius of 55.00 feet; Thence along said curve a distance of 44.94 feet; Thence N 44°46'52" W a distance of 168.77 feet to the beginning of a tangent curve to the right having a radius of 95.00 feet; Thence along said curve a distance of 52.72 feet to the beginning of a tangent curve to the right having a radius of 1885.49 feet; Thence along said curve a distance of 463.96 feet; Thence N 01°06'52" E a distance of 114.92 feet to the beginning of a tangent curve to the left having a radius of 877.28 feet; Thence along said curve a distance of 193.44 feet to the beginning of a tangent curve to the right having a radius of 406.30 feet; Thence along said curve a distance of 176.95 feet; Thence N 81°11'58" E a distance of 283.18 feet; Thence S 02°02'00" W a distance of 1481.83 feet to the Point of Beginning. And containing 6.72 acres of land all in St. Clair County, Missouri except roads and subject to any and all restrictions, reservations and easement of record.

DESCRIPTION: PLAT ONE REED & SCHUMAKER 6 LOTS
A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER AND THE SOUTHWEST
QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 24 WEST OF THE 5TH
PRINCIPAL MERIDIAN, ST. CLAIR COUNTY, MISSOURI, DESCRIBED AS: COMMENCING AT
A 1/2" IRON BAR AND CAP AT THE NORTHEAST CORNER OF THE NORTHWEST
QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20; THENCE N88°30'47"W
ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER
OF SAID SECTION 20, A DISTANCE OF 609.32 FEET TO 1/2" IRON BAR AND CAP
AND THE POINT OF BEGINNING; THENCE S47°07'03"W, A DISTANCE OF 691.22 FEET
TO A 1/2" IRON BAR AND CAP; THENCE S30°32'45"W, A DISTANCE OF 441.08 FEET
TO A 1/2" IRON BAR AND CAP AT THE NORTHEAST CORNER OF WOODLAND ACRES,
BLOCK 4, PLAT 4, A SUBDIVISION OF ST. CLAIR COUNTY, MISSOURI, AS FILED IN
PLAT BOOK A, AT PAGE 143; THENCE N81°11'58"E ALONG A PROLONGATION OF THE
NORTH LINE OF SAID SUBDIVISION, A DISTANCE OF 305.43 FEET TO A 1/2" IRON
BAR AND CAP; THENCE S02°02'00"W, A DISTANCE OF 505.73 FEET TO A 1/2" IRON
BAR AND CAP ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SAID SECTION 20; THENCE N88°31'18"W ALONG THE SOUTH
LINE OF SAID QUARTER, QUARTER SECTION, A DISTANCE OF 300.00 FEET TO THE
SOUTHWEST CORNER OF SAID QUARTER, QUARTER SECTION; THENCE N02°02'00"E
ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER AND THE EAST LINE OF SAID
WOODLAND ACRES, BLOCK 4, PLAT 4, A DISTANCE OF 451.23 FEET TO A 1/2" IRON
BAR AND CAP AT THE NORTHEAST CORNER OF SAID WOODLAND ACRES, BLOCK 4,
PLAT 4; THENCE S81°11'58"W ALONG THE NORTH LINE OF SAID SUBDIVISION, A
DISTANCE OF 235.06 FEET TO A 1/2" IRON BAR AND CAP AT A POINT ON A CURVE
TO THE LEFT ON THE EAST LINE OF WOODLAND ACRES, BLOCK 3, PLAT 3, A
SUBDIVISION OF ST. CLAIR COUNTY, MISSOURI, AS FILED IN PLAT BOOK A AT PAGE
144; THENCE ALONG SAID CURVE AND EAST LINE OF SAID SUBDIVISION HAVING A
RADIUS OF 21051.17 FEET AND A CHORD BEARING OF N21°49'58"E (CHORD: 564.63
FEET), AN ARC DISTANCE OF 564.65 FEET TO A TANGENT CURVE TO THE RIGHT
ALONG THE EAST LINE OF SAID SUBDIVISION; THENCE ALONG SAID CURVE AND EAST
LINE OF SAID SUBDIVISION HAVING A RADIUS OF 241.54 FEET AND A CHORD
BEARING OF N42°37'08"E (CHORD: 118.16 FEET), AN ARC DISTANCE OF 119.37 FEET
TO A TANGENT CURVE TO THE LEFT ALONG THE EAST LINE OF SAID SUBDIVISION;
THENCE ALONG SAID CURVE AND EAST LINE OF SAID SUBDIVISION HAVING A RADIUS
OF 1138.24 FEET AND A CHORD BEARING OF N50°00'55"E (CHORD: 441.67 FEET), AN
ARC DISTANCE OF 444.49 FEET TO A 1/2" IRON BAR AND CAP AT THE NORTHEAST
CORNER OF SAID WOODLAND ACRES, BLOCK 3, PLAT 3, ON THE NORTH LINE OF THE
SOUTHEAST QUARTER OF SAID SECTION 20; THENCE S88°30'47"E ALONG THE NORTH
LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 334.66 FEET TO THE POINT OF
BEGINNING. CONTAINING 9.31 ACRES OF LAND, MORE OR LESS. SUBJECT TO ANY
AND ALL EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.