

BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI

FILED

MAY 12 2009

Missouri Public
Service Commission

In the Matter of the Application of
Oakbrier Water Company, Inc., for a Certificate
Of Convenience and Necessity authorizing it
to enlarge and extend its service area and
to construct, install, own, operate, control, manage,
and maintain a Water System for the
the public located in the unincorporated
area of Butler County, Missouri

APPLICATION AND MOTION TO EXPEDITE APPLICATION

COMES NOW OAKBRIER WATER COMPANY, called herein the Company or Applicant, and per Paragraph 393.170 RSMO and 4CSR 240-2.060(4) (A) and states to the Missouri Public Service Commission, herein Commission, as follows:

1. Applicant is a Missouri Corporation, duly organized and existing under the laws of the State of Missouri with its principal office and business located at 406 South Allen, Bernie, Mo 63822 and currently provides water services to members of the public located within unincorporated areas of Butler County, State of Missouri, and accordingly is subject to the jurisdiction, control and regulations of the Commission as provided by law.

2. Communication regarding this application should be sent to:

Terry C. Allen, Mo Bar No 19894
Allen Law offices, LLC
612 E. Capitol Ave, PO Box 1702
Jefferson City, Missouri 65102
Tele 573 636 9667 Fax 573 636 4667
terry@tcallenlawoffices.com

3. Applicant previously applied and received a Certificate of Convenience and Necessity (CCN) from the Commission to provide service in its existing service territory in Commission Case No. WA-88-128, on January 17, 1989. In that case the CCN allowed the filing of tariffs for approval and later they were approved. Applicant requests permission and approval and a certificate of Public Convenience and Necessity to extend, install, own, acquire, construct, operate, control, manage and maintain a water system for the public in areas adjacent to its existing territory all located in the unincorporated area of Butler County, Missouri, (Oakbrier Estates Subdivision) as set for the on the map marked Exhibit A, pages 1,2,3,&4 in the outlined area. The Legal Description of the area as expanded is Exhibit A page 4. The area adjacent to the existing territory and identified in Exhibit A by pink outlined area is the proposed new

area. The original area is outlined in green on A pages 1&2. The extended and enlarged CCN added to the original CCN from the Commission Case WA-88-128 is as set forth in Exhibit A pages 1&2 adjacent to the existing territory set forth in Legal Description in the original Tariff (A, Page3) approved by this Commission and on file in its records. Again the Legal Description for the proposed new tariff as expanded is A page 4.

4. Per the Commission Rules, the Applicant by the owners of the stock originally submitted a feasibility study in Case No. WA-88-128 describing the existing well and service mains owned, operated, controlled, managed, and maintained subsequent to the approval of the funding request of the Commission in that case and the Commission further ordered installation of water meters for each customer. There is no change in the assets e.g. wells, connections, lines, equipment, etc. These customers are already being served in the expanded area by the Company and no new development is needed and no new infrastructure, no new meters, no additional costs to provide the service nor additional assets is needed. Hence the expansion is feasible to be able to continue to serve the customers in the expanded area. Plans and design drawings in the expansion area will be provided in 30 days from the filing of this Application.

5. There are no municipalities located in the proposed area and approval by Butler County, Missouri, is not required for the Applicant to provide water services to this area. Applicant expects that its water system will meet all future requirement of DNR and believes that it currently meets those needs.

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

7. The area requested to be certified is comprised of those customers described in Exhibit B. Public need exists for the adequate water service within the proposed area to be served, and the public convenience and necessity will be promoted by granting of the authority herein requested

8. Exhibit C is a certificate of Good Standing of the Applicant with the State of Missouri. Originally the applicant was owned by other stock holders and the stock was sold to the present owners. The Corporation has made its annual registrations with the Missouri Secretary of State and the officers of the Corporation are listed in the current registration attached hereto as Exhibit D.

9. Applicant has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involved customer service or rates in which action, judgments or decision has occurred within three (3) years of the date of this Application. All financial information about the Company has been provided in the current pending rate cases.

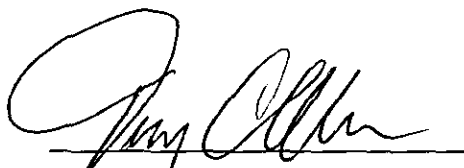
10. Applicant has no annual report or assessment fees currently overdue. And the operator and President of the Company, Rodger Owens, is well qualified to serve the public in the operation thereof.

Attached is Exhibit E, the resume of Rodger Owens. Currently, he serves as a member of the Missouri Clean Water Commission.

MOTION TO EXPEDITE

11. The Applicant has a rate increase request pending that includes the expanded service area. The Applicant understands that time is of the essence in coordinating this Application with the pending rate increase in light of the fact that the rate increase does include the expanded area and therefore there is great need to have this case expedited for the benefit of the public and for the benefit of the administrative process before this Commission and its staff. Under the Rules of this Commission for good cause shown and for the reasons stated herein the Applicant moves for and respectfully requests that this Application be expedited.

WHEREFORE, Applicant requests the Commission grant permission, approval and a certificate of Convenience and Necessity per this Application within the area referred to in herein authorizing the Applicant to implement rates and charges for the provision of water service consistent with those contained in original presented to the Commission in case NO WA-88-128, with the understanding that a rate case for increased rates for the entire service area including the expanded area herein is pending, for expedited treatment under the circumstances herein and for such other orders as the Commission deems proper under the circumstances.



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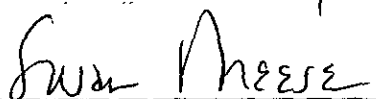
AFFIDAVIT

State of Missouri)
) SS
County of Stoddard)

Comes now Rodger Owens, President of Oakbrier Water Company, Inc., and after being duly sworn states that the facts in the Application to which this affidavit is attached are true to the best of his own personal knowledge and belief.


Rodger Owens, President
Oakbrier Water Company, Inc.

Subscribed and sworn to before me on this the 11th day of May 2009.



Notary

My Commission Expires:



SUSAN MEESE
My Commission Expires
October 14, 2012
Stoddard County
Commission #08505066