

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

In the Matter of the Carl R. Mills Trust        )  
Certificate of Convenience and Necessity    )  
Authorizing it to Install, Own, Acquire,     )     File No. \_\_\_\_\_  
Construct, Operate, Control, Manage        )  
And Maintain Water Systems in Carriage     )  
Oaks Estates

**APPLICATION FOR CONVENIENCE AND NECESSITY**

COMES NOW the Carl R. Mills Trust (“**Mills Trust**”) pursuant to Sections 393.140 and 393.170, RSMo and 4 CSR 240-2.060, 4 CSR 240-3.305, 4 CSR 240.3-600 and 4 CSR 240-4.020(2)(B), and for its Application For Convenience and Necessity states as follows to the Missouri Public Service Commission (“**Commission**”).

**BACKGROUND**

1. Pursuant to the order issued in the case of *Derald Morgan et al. v. Carl Richard Mills et al.*, WC-2017-0037, Mills Trust desires to obtain a certificate of convenience and necessary to install, own, acquire, construct, operate, control, manage and maintain the water system in Carriage Oaks Estates (as defined herein).
2. Mills Trust is the personal trust of Carl Richard Mills. The trustee of Mills Trust is Carl Richard Mills.
3. Mills Trust was created as an estate planning mechanism for its founder, Carl Richard Mills. Mr. Mills, through one of his wholly owned entities, is the developer of Carriage Oaks Estates. Pursuant to the Commission’s order in *Morgan*, Mills Trust is the current owner of the water system which services Carriage Oaks Estates. Additionally, pursuant to the order in *Morgan*, the Commission determined that Mills Trust operates a water company through its ownership of the water system servicing Carriage Oaks Estates.
4. Communications regarding this Application should be addressed to Mills Trust’s legal counsel.

5. Mills Trust has no pending actions, final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates.

6. Mills Trust has no annual report or assessment fees which are overdue.

### **CERTIFICATE**

7. Mills Trust request permission, approval and Certificates of Convenience and Necessity to install, own, acquire, construct, operate, control, manage and maintain water services for the public in and around the subdivision located in Stone County, Missouri by the name of Carriage Oaks Estates, as more particularly described on **Appendix A** (“**Carriage Oaks Estates**”).

8. Attached hereto and marked as **Appendix B** is a list of ten residents or land owners within Carriage Oaks Estates. It has been identified as Highly Confidential pursuant to the Commission’s rules because it contains customer-specific information.

9. There are no other utility companies which provide water services to Carriage Oaks Estates. Additionally, pursuant to the Easements, Covenants and Restrictions governing Carriage Oaks Estates, homeowners must receive water services from the water system owned by Mills Trust.

10. Attached hereto as **Appendix C** is a plat drawing of Carriage Oaks Estates.

11. The water system owned by Mills Trust and servicing Carriage Oaks Estates was previously constructed in or around the year 2000. Attached hereto as **Appendix D** is the approximate cost of construction of the water system, including the upgrades to such system which were installed in 2016.

12. Because the water system is already constructed, there will be no financing required.

13. Attached hereto as **Appendix E** are the rates Mills Trust proposes to charge for the provision of water services.

14. Approximately seven (7) customers will receive water services from Mills Trust.

15. Attached hereto as **Appendix F** is an approximation of the cost associated with the operation of the water facility during the previous three (3) years.

16. No approval of the affected governmental bodies is necessary for purposes of this Application.

WHEREFORE, Mills Trust request the Commission grant it permission, approval, and a Certificate of Convenience and Necessity authorizing Mills Trust to install, acquire, build, construct, own, operate, control, manage and maintain water systems for the public within the area referred to above.

Respectfully submitted,

**HUSCH BLACKWELL LLP**

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*Attorneys for Mills Trust*

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing document has been sent by electronic mail this 7<sup>th</sup> day of June, 2018 to:

General Counsel's Office

[staffcounselservices@psc.mo.gov](mailto:staffcounselservices@psc.mo.gov)

Office of the Public Counsel

[opcservice@ded.gov](mailto:opcservice@ded.gov)

**AFFIDAVIT**

State of Missouri     )  
                                  )  
County of Greene    )

                                  SS

I, Carl Richard Mills, having been duly sworn upon my oath, state that I am the Trustee  
of the Carl R. Mills Trust, that I am duly authorized to make this affidavit on behalf of  
the Carl R. Mills Trust, that the matters and things stated in the foregoing  
application and appendices thereto are true and correct of the best of my information, knowledge  
and belief.

*Carl R. Mills Trustee*

Subscribed and sworn before me this 10<sup>th</sup> day of May, 2018.

*Ellen Brooks*  
Notary Public

My Commission Expires 12/18/19



**ELLEN BROOKS** Comm.#11383858  
Greene County    State of Missouri  
My Commission Expires Dec. 18, 2019