

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

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	)	
	)	
In the Matter of Carl R. Mills Trust for a	)	
Certificate of Convenience and Necessity	)	File No. WA-2018-0370
Authorizing it to Install, Own, Acquire,	)	
Construct, Operate, Control, Manage and	)	
Maintain Water Systems in Carriage Oaks	)	
Estates	)	
	)	
	)	
	)	

**APPLICATION TO INTERVENE**

COME NOW, Derald Morgan, Rick and Cindy Graver, William and Gloria Phipps, and David Lott (“Intervenors”), and pursuant to the Commission’s Order dated June 8, 2018, and 4 CSR 240-2.075, seek to intervene in this matter. In support of their Application, Intervenors state as follow.

1. Intervenors Derald Morgan, Rick and Cindy Graver, William and Gloria Phipps, and David Lott are natural persons residing in the Carriage Oaks Subdivision in Stone County, Missouri.

2. Correspondence, communications, orders, and decisions may be sent to Intervenors’ attorney at the following address:

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3. Intervenors seek to intervene in this case because they have an interest in the water services provided by the Carl R. Mills Trust in that they receive water services provided by the Carl R. Mills Trust.

4. Because Intervenors receive water services from the Carl R. Mills Trust, they have an interest in this matter that is different from those of the general public and could be adversely affected by the Commission's order in this case.

5. Intervenors seek to intervene in order to oppose the proposed rates submitted by the Carl R. Mills Trust and to seek measures to correct the quality and safety of water services provided by the Carl R. Mills Trust.

6. The proposed rates submitted by the Carl R. Mills Trust are unreasonable and Intervenors seek an opportunity to present evidence demonstrating why the proposed rates should not be approved.

7. There is no indication that the base costs provided in Appendix E of the Carl R. Mills' Trust's application are related in any way to the cost of the first 3,000 gallons of water usage. Mills has not shown the annual or monthly water usage for any period of time in which he has been collecting data. His base costs are exaggerated and include costs of operation of the sewer as well as the water system.

8. Furthermore, the rates proposed by the Carl R. Mills Trust are excessively high in comparison to the rates charged by other utility providers, such as Liberty Utilities and Missouri American Water. See *Exhibits A and B, Water Rates*.

9. Additionally, the water services provided by the Carl R. Mills Trust have been inadequate and potentially unsafe and Intervenors request an opportunity to present evidence demonstrating the inadequacy of the system. There is a pressure or flow problem in the

subdivision because the tank is excessively large and not properly utilized to provide proper pressure and flow. There have also been problems caused by the change of the pipe sizes. For some time, the chlorine system was not in use and it is not known if it is properly used and maintained in keeping a proper level of chlorine in the drinking water when the tank is in use. No testing is provided to the intervenors regarding the quality and safety of their water. Since the upgrade of the system, the size of rocks found in the home filters has increased and is a major concern as it can cause a major blockage in a home water system. The amount of iron has been a problem and could be alleviated by a regular flushing out of the system.

10. It will serve the public interest for the Public Service Commission to grant this application to intervene.

11. Intervenors oppose the approval of the Carl R. Mills' Trust application for a Certificate of Convenience and Necessity.

WHEREFORE, Intervenors Derald Morgan, Rick and Cindy Graver, William and Gloria Phipps, and David Lott request that the Public Service Commission grant their application to intervene.

Respectfully submitted,

SCHENEWERK & FINKENBINDER,  
ATTORNEYS AT LAW, LLC

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COUNSEL FOR INTERVENORS

**CERTIFICATE OF SERVICE**

The below signed counsel hereby certifies that a true and accurate copy of the foregoing was sent to all counsel of record via email on June 29, 2018.

/s/ Karl Finkenbinder  
Karl Finkenbinder