

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

An Investigation into the Operations,           )  
Management, and Financial Capability       )       File No. WW-2013-0196  
of Terre Du Lac Utilities, Corp.               )

**MISSOURI DEPARTMENT OF NATURAL RESOURCES'  
APPLICATION TO INTERVENE**

COMES NOW Missouri Department of Natural Resources ("MDNR")  
and, pursuant to Commission Rule 4 CSR 240-2.075, respectfully requests that  
the Commission issue its order granting MDNR's Application to Intervene. For  
its Application, MDNR states as follows:

1.       On October 19, 2012, the Commission's Staff filed a motion asking  
the Commission to open an investigation into the operations, management and  
financial capabilities of Terre Du Lac Utilities Corporation. On October 24,  
2012, the Commission issued an *Order Opening an Investigation into the  
Operations, Management, and Financial Capabilities of Terre Du Lac Utilities  
Corporation*. In its October 24, 2012 Order, the Commission did not establish  
an intervention deadline.

2.       MDNR, and specifically its Water Protection Program, is a state  
agency vested with the powers and duties set forth in Chapters 640 and 644,  
RSMo.

3.       MDNR has an interest different than that of the general public,  
and its intervention will serve the public interest. The Water Protection

Program is, concurrent with these investigative proceedings, engaged in an enforcement lawsuit against Terre Du Lac Utilities Corp. (“TDL”) regarding violations of the Safe Drinking Water Act, §§ 640.100-140 RSMo, and Missouri Clean Water Law, chapter 644 RSMo. The environmental concerns embodied in MDNR’s lawsuit are closely linked to the safety and service quality concerns of the Commission. MDNR believes that TDL’s environmental violations are due, in large part, to TDL’s operations, management, and financial capabilities. Staff’s investigative efforts, therefore, may assist MDNR and TDL to reach agreement on an environmental compliance strategy, which in turn may facilitate resolution of any safety or service issues discovered by the Commission.

4. Communications, correspondence, orders and decision in this matter should be addressed to:

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5. As an investigative case, no relief is sought. MDNR, therefore, takes no position regarding the relief sought.

WHEREFORE, the Missouri Department of Natural Resources respectfully requests that it be allowed to intervene in the above-styled matter.

Respectfully submitted,

**CHRIS KOSTER**  
Attorney General

*/s/ Kara Valentine*

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*/s/ Jeremy Knee*

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**Attorneys for Missouri Department  
of Natural Resources**

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been served electronically on all counsel of record this 31st day of October, 2012.

*/s/ Kara Valentine*  
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Assistant Attorney General