

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

In the Matter of the Joint Application of	)	
Silverleaf Resorts, Inc. and Algonquin Water	)	
Resources of Missouri, LLC for Authority	)	
for Silverleaf Resorts, Inc. to Sell Certain	)	Case No. WO-2005-0206
Assets to Algonquin Water Resources of	)	SO-2005-0207
Missouri LLC and, in Connection Therewith,	)	
Certain Other Related Transactions.	)	

**ALGONQUIN’S STATEMENT OF POSITION**  
**AS TO ACQUISITION PREMIUM AND**  
**MOTION TO CANCEL HEARING**

COMES NOW Algonquin Water Resources of Missouri, LLC (Algonquin), and, as its Statement of Position as to Acquisition Premium and Motion to Cancel Hearing, states as follows to the Missouri Public Service Commission (Commission):

1. The Commission Staff and the Office of the Public Counsel have indicated in this case that they believe the proposed sale will meet the standard of being “not detrimental to the public interest” if the Commission rules that Algonquin will not be allowed to recover any acquisition premium, or if Algonquin agrees to forego seeking the recovery of any acquisition premium.

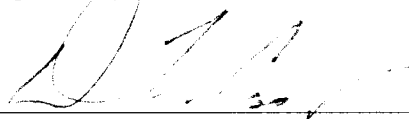
2. Algonquin hereby states that it will not seek to recover through customer rates any acquisition premium associated with this transaction that may be determined by the Commission to exist in a future rate case.

3. Algonquin believes that this statement of position addresses the acquisition premium issues raised by the Staff and Public Counsel. Therefore, Algonquin moves the Commission to cancel the hearing of this matter.

WHEREFORE, Algonquin respectfully requests that the Commission consider this pleading, cancel the hearing and, thereafter, issue its order:

- (A) authorizing Silverleaf to sell the assets identified in the Asset Purchase Agreement;
- (B) authorizing Silverleaf and Algonquin to perform in accordance with the terms described in the Asset Purchase Agreement, as amended, and to take any and all other actions which may be reasonably necessary and incidental to the performance of the sale; and,
- (C) granting Algonquin water and sewer certificates to serve those areas for which Silverleaf currently holds certificates and provides service.

Respectfully submitted,



---

Dean L. Cooper MBE#36592  
BRYDON, SWEARENGEN & ENGLAND P.C.  
312 E. Capitol Avenue  
P. O. Box 456  
Jefferson City, MO 65102  
(573) 635-7166  
(573) 635-3847 facsimile  
[dcooper@brydonlaw.com](mailto:dcooper@brydonlaw.com)

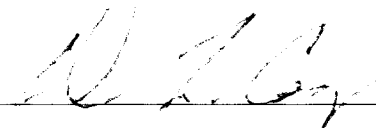
ATTORNEYS FOR ALGONQUIN WATER  
RESOURCES OF MISSOURI, LLC

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was sent by U.S. Mail, postage prepaid, or electronic mail, on July 5, 2005, to the following:

Bob Berlin  
Office of the General Counsel  
Governor Office Building, 8<sup>th</sup> Floor  
Jefferson City, Mo 65101

Lewis Mills  
Office of the Public Counsel  
Governor Office Building, 6<sup>th</sup> Floor  
Jefferson City, MO 65101



---