

In the matter of the application of Emerald Pointe)
Utility Company for authority to issue up to and including) File No. SF-2013-0346
\$1,062,000 of indebtedness.)

COMES NOW Emerald Pointe Utility Company (Emerald Pointe or Company)
and, in response to the Staff Recommendation to Approve Application (Recommendation), states
as follows to the Missouri Public Service Commission (Commission):

2. On February 5, 2013, the Staff of the Commission (Staff) filed a Recommendation. Therein, the Staff recommended that “the Commission approve Emerald Pointe’s application for authority to issue up to \$1,000,000 of secured indebtedness for the construction of a sewer line and the conversion of an existing wastewater treatment facility to a lift station and \$62,000 for installing power generators at two lift stations along the sewer line.”

3. Included in the Recommendation were two conditions. Emerald Pointe hereby states that it does not object to those conditions and asks that the Commission approve Emerald Pointe's Application (as Supplemented) at its earliest convenience.

WHEREFORE, the Company requests that the Commission approve the Application and Supplement to Application, and issue an order that:

1

White River Valley Electric Cooperative, Inc. to incur indebtedness provided that the aggregate principal amount of all such debt obligations shall not exceed \$62,000, collectively bearing a commercially reasonable interest rate, and having such designation and redemption, purchase and other terms as shall be determined by Emerald Pointe;

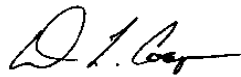
(b) Authorizes Emerald Pointe to enter into, execute and deliver loan agreements with Hawthorne Bank to incur indebtedness provided that the aggregate principal amount of all such debt obligations shall not exceed \$1,000,000, collectively bearing a commercially reasonable interest rate, and having such designation and redemption, purchase and other terms as shall be determined by Emerald Pointe;

(c) Authorizes Emerald Pointe to create and make effective a first lien on all of the franchises, certificates of convenience and necessity, plant and system of Emerald Pointe, to secure its obligations;

(d) Authorizes Emerald Pointe to enter into, execute, deliver and perform the necessary promissory notes, loan agreements and other documents necessary to effectuate the described transactions; and,

(e) Authorizes Emerald Pointe to take such other actions as may be reasonably incidental, necessary or appropriate to complete the transaction.

Respectfully submitted,



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**ATTORNEYS FOR EMERALD POINTE
UTILITY COMPANY**

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been sent by electronic mail this 6th day of February, 2013, to:

Amy Moore
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