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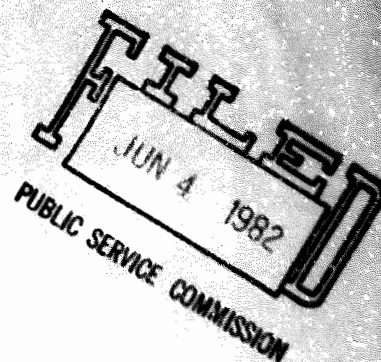
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June 3, 1982

Stamper

Mr. Harvey G. Hubbs
Secretary
Missouri Public Service Commission
P. O. Box 360
Jefferson City, Missouri 65102



Re: Southwest Sewer Corporation
Case No. SA-80-230 (Twin Hills Subdivision)

Dear Mr. Hubbs:

Pursuant to the Commission's Report and Order of November 24, 1980, issued in the above-referenced matter, the Commission, among other things, required applicant, Southwest Sewer Corporation, to provide the following:

1) Evidence that it has filed applications for all necessary permits to implement all of the rules and regulations of the Missouri Department of Natural Resources (DNR); and

2) A copy of the document conveying the involved property to applicant by the developer.

Please be advised that Company believes it has substantially complied with these provisions such that this matter should be closed by the Commission.

With respect to the necessary permits to be issued by DNR, Company has secured from DNR preliminary approval to construct a sewer system to serve the certificated area. This preliminary approval is evidenced by an August 6, 1980, letter of Gale L. Roberts, Environmental Engineer for DNR (a copy of which has previously been filed with the Commission). The obtaining of final construction and operating approval is not possible at this time as Company proposes initially to serve the area with individual treatment facilities. Only when development and occupancy of fourteen lots is achieved in the development is

Company required to install the central collection and treatment facilities in these subdivisions. This is pursuant to the approval of DNR previously mentioned. Therefore, until such time as the requisite number of lots are occupied, DNR will withhold issuance of a construction and operating permit for the proposed facilities. Since it is unknown when the requisite number of lots in the subdivision will be occupied, further compliance with the Commission's order as it relates to the filing of future DNR applications is, likewise, unknown. Company, therefore, suggests that in order for the Commission to close its files with respect to this requirement, the Commission waive strict compliance with same until such time as the requisite number of lots are occupied and Company applies for the necessary construction and operation permits for the central collecting and treatment facilities.

With respect to the requirement that Company provide the Commission with a copy of the document conveying the involved property to it by the developer, Company respectfully draws the Commission's attention to the written agreement entered into between the developer and Company, which has previously been filed with the Commission. As indicated in this written agreement, the developer has obligated himself to donate whatever sewer facilities exist, and appropriate easements, in the certificated area to the sewer company at no cost. In addition, the developer has obligated himself to escrow amounts of money from the sales of each lot to be put into a fund to be used to construct the necessary collecting and central treatment facilities so that the entire system will be either donated or built with contributed moneys. Obviously, until such time as the requisite number of lots are occupied, there is no need to transfer any of the facilities or easements. Therefore, Company believes that the written agreement previously filed with the Commission is satisfactory proof of the intent to donate said facilities, and the Commission's files may be closed with respect to this requirement.

Finally, Company has previously filed with the Commission an original tariff containing rules and regulations for sewer service to be furnished within the certificated area. Company is not, at this time, proposing to charge any monthly sewer service rate as sewer service is now being provided by individual treatment facilities which are owned and maintained by the individual homeowners. At such time as the requisite number of lots are occupied, and a central collection and treatment facility is installed, Company will apply for a sewer service rate.

In conclusion, Company believes that because of the unique manner in which it proposes to render sewer service to the certificated area, strict compliance with certain standard

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Commission requirements is not possible at this time. Nevertheless, Company believes that it has filed with the Commission all the necessary information required of it to substantially comply with Commission's rules and other requirements. Therefore, Company asks that this matter be closed.

Very truly yours,

WRE ENGLAND III
W. R. England III

WRE/rg

cc: Mr. Paul Heath
Mr. Bill Sankpill