

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

Jefferson City

March 4, 1983

CASE NO. SA-80-230

Southwest Sewer Corporation  
P. O. Box 31  
Mount Vernon, Missouri 65712

W. R. England, III  
Attorney at Law  
P. O. Box 456  
Jefferson City, Missouri 65102

Enclosed find certified copy of ORDER in the above-numbered case.

Sincerely,



Harvey G. Hubbs  
Secretary

uncertified copy:

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 4th  
day of March, 1983.

CASE NO. SA-80-230

In the matter of the application of  
Southwest Sewer Corporation for permission,  
approval and a Certificate of Convenience  
and Necessity authorizing it to construct,  
install, own, operate, control, manage and  
maintain a sewer system for the public located  
in an unincorporated area within Jasper County,  
Missouri.

ORDER CLOSING CASE

On November 24, 1980, the Commission issued its Report and Order in this case, effective on December 24, 1980, granting a Certificate of Public Convenience and Necessity to Southwest Sewer Corporation authorizing the construction, operation and maintenance of a sewer system for the public located in an unincorporated area described as Twin Hills Estates Subdivision in Jasper County, Missouri. In its Report and Order, the Commission directed Southwest Sewer Company to file tariff sheets containing a map of the Company's authorized service area and prescribing a seven dollar (\$7.00) per month service charge for sewage disposal service; furnish evidence to the Commission that it has filed applications for all necessary permits to implement the rules and regulations of the Missouri Department of Natural Resources; file an executed copy of the document conveying the involved property to the Company from the developer; and maintain records in accordance with the Uniform System of Accounts.

By Supplemental Order issued December 4, 1980, the Commission further required Southwest Sewer Corporation to file its rules and regulations regarding the rendering of service to its customers, and directing Southwest Sewer Corporation to maintain continuing property records.

On December 10, 1980, Southwest Sewer Corporation filed its revised engineering report for waste water disposal for the Twin Hills Subdivision, which had been submitted to the Missouri Department of Natural Resources in compliance with that agency's rules and regulations and in compliance with Ordered: 3 of the Commission's Report and Order in this case. On December 15, 1981, the Company advised the Commission that the operating permit can be issued by the Department of Natural Resources only after facilities are completed and ready for use. The facilities in question in this case are not to be constructed until the Subdivision is thirty percent (30%) occupied. As of December 15, 1981, however, the Company advised the Commission that only two (2) lots in the Subdivision were occupied. No charges are to be levied to customers until the facilities are in place.

On May 4, 1982, the Company filed tariff sheets governing the provision of service to the Twin Hills Subdivision. Those tariff sheets went into effect without suspension on June 4, 1982.

Also on June 4, 1982, Southwest Sewer Corporation filed a request in this case that the matter be closed. The Company believes that it has substantially complied with the outstanding requirements of the Commission's Report and Order and Supplemental Order in this case. The Company has secured from the Department of Natural Resources preliminary approval to construct a sewer system to serve the certificated area. Final construction and operating approval cannot be obtained at this time, since the Company proposes initially to serve the area with individual treatment facilities. Only when the development and occupancy of fourteen (14) lots in the Subdivision is achieved is the Company required to install the central collection and treatment facilities in the Subdivision, pursuant to the approval of the Department of Natural Resources.

The Commission determines that Southwest Sewer Corporation has substantially complied with the Commission's Order to furnish evidence that the Company has filed applications for all necessary permits to implement the rules and regulations of the Missouri Department of Natural Resources.

Concerning the requirement that the Company provide the Commission with a copy of the document conveying the involved property to the Company by the developer, the Company asserts that the written Agreement entered into between the developer and the Company and previously filed with the Commission in this case is satisfactory proof of the intent to donate said facilities. The actual conveyance will not be accomplished until the requisite number of lots is occupied, at some time in the indefinite future. The Commission agrees with the Company that it has substantially complied with this requirement of the Commission's Report and Order.

Finally, Company states that it has previously filed with the Commission an original tariff containing rules and regulations for sewer service to be furnished within the certificated area. However, until such time as the requisite number of lots are occupied, and central collection and treatment facilities installed, the Company will not be charging any monthly sewer service rate to these customers. Therefore, the Company asserts that it is not necessary at the present time to apply for a sewer service rate. The Commission agrees.

As a result, the Commission determines that Southwest Sewer Corporation has substantially complied, and is substantially complying, with the requirements set out in the Commission's Report and Order and Supplemental Order in this case, and that the case should be closed.

It is, therefore,

ORDERED: 1. That Southwest Sewer Corporation be, and is hereby, considered to have substantially and reasonably complied with the requirements set forth by the Commission in its Report and Order and Supplemental Order in this case.

ORDERED: 2. That Case No. SA-80-230 be, and is hereby, closed.

ORDERED: 3. That this Order shall become effective on April 5, 1963.

BY THE COMMISSION

*Harvey G. Hubbs*  
Harvey G. Hubbs  
Secretary

(S E A L)

Shapleigh, Chm., McCartney,  
Fraas, Dority and Musgrave, CO., Concur.

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission,  
at Jefferson City, this 4th day of March 1983.

*Harvey G. Hubbs*

Harvey G. Hubbs  
Secretary