

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of the Application of Osage Utility)
Operating Company, Inc. to Acquire Certain) Case No. WA-2019-0185
Water and Sewer Assets and for a Certificate of) and SA-2019-0186
Convenience and Necessity)

MOTION TO INTERVENE

COMES NOW Cedar Glen Condominium Owners Association, Inc. (hereinafter sometimes referred to as “Cedar Glen”), pursuant to 4 CSR 240-2.075 of the Rules of Practice and Procedure, and for its Motion to Intervene respectfully states:

1. Cedar Glen is a Missouri not-for-profit corporation, active and in good standing, with its principal office and place of business at 3524 Osage Beach Parkway, P.O. Box 2409, Lake Ozark, MO 65049-2409. A certified copy of the Cedar Glen’s certificate of good standing is attached hereto as Appendix A.

2. Correspondence, communications, orders and the decision in this matter should be addressed to:

Kenneth E. Hulett
164 Cedar Glen Drive
Unit 164, 3B
Camdenton, MO 65020

Wendy W. Rogers
Cedar Glen Condominium Owners Association, Inc.
P.O. Box 2409.
Lake Ozark, MO 65049
Telephone No. 573-346-0849
Email: cedarglen@pmglake.com

Mark W. Comley
NEWMAN, COMLEY & RUTH P.C.
P.O. Box 537
Jefferson City, MO 65102-0537
Telephone No.: 573/634-2266
Fax No.: 573/636-3306

3. This case arose when Osage Utility Operating Company (hereinafter referred to as “Applicant”) filed an application for approval of its purchase of the water and sewer systems of Osage Water Company, Reflections Subdivision Master Association and Reflections Condominium Owners Association. On December 20, 2018 the Commission issued an Order and Notice directing that interested parties wishing to intervene must do so on or before January 18, 2019. This application is therefore timely.

4. Cedar Glen and its owner/members are customers of Osage Water Company, the water and sewer assets of which are part of Applicant’s proposed asset purchase. Cedar Glen and its owner/members constitute, based on information and belief, the majority by a large margin of the customer base of Osage Water Company. Cedar Glen’s interest in this proceeding is different from that of the general public. It is interested in the impact of any decisions in this proceeding on behalf of itself and its members, whose interests, and Cedar Glen’s, may be adversely affected by a final decision in this case. Cedar Glen desires to participate fully in this proceeding including hearing and the briefing of the issues.

5. At this time Cedar Glen is uncertain of the position it will take in this matter.

6. Granting the proposed intervention would serve the public interest.

WHEREFORE, for the foregoing reasons, Cedar Glen Condominium Owners Association, Inc. respectfully requests that the Commission grant its Motion to Intervene in this matter, and thereby entitle Cedar Glen to have notice and to appear at the taking of testimony, to produce and cross-examine witnesses and to be heard on the argument, and in all other respects fully participate in this proceeding.

Respectfully submitted,

NEWMAN, COMLEY & RUTH P.C.

By: /s/ Mark W. Comley
Mark W. Comley #28847
601 Monroe Street, Suite 301
P.O. Box 537
Jefferson City, MO 65102-0537
(573) 634-2266
(573) 636-3306 (FAX)
comleym@ncrpc.com

Attorneys for Cedar Glen Condominium Owners Association, Inc.

ATTORNEY VERIFICATION

STATE OF MISSOURI)
) ss.
COUNTY OF COLE)

I, Mark W. Comley, being first duly sworn, do hereby certify, depose and state that I am the attorney for Cedar Glen Condominium Owners Association, Inc. which seeks intervention in the above captioned proceeding before the Missouri Public Service Commission; that I have read the above and foregoing Application to Intervene and the allegations therein contained are true and correct to the best of my knowledge, information and belief; and I further state that I am authorized to verify the foregoing application by the above said applicant to intervene.

/s/ Mark W. Comley
Mark W. Comley

Subscribed and sworn to before me, a Notary Public, this 14th day of January, 2019.

/s/ Annette M. Borghardt
Notary Public for Cole County, Missouri
Commission #14436657; M.C.E. 3-13-22

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was sent via e-mail on this 18th day of January, 2019, to General Counsel's Office at staffcounsel@psc.state.mo.us; Office of Public Counsel at opcservice@ded.state.mo.us; Dean L. Cooper at dcooper@brydonlaw.com; and Diana C. Carter at dcarter@brydonlaw.com.

/s/ Mark W. Comley
Mark W. Comley

STATE OF MISSOURI



John R. Ashcroft
Secretary of State

CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING

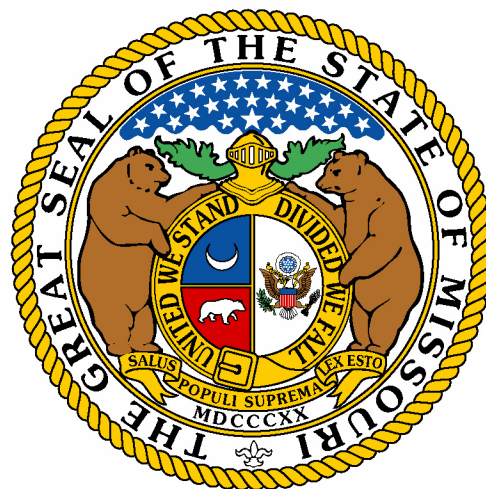
I, JOHN R. ASHCROFT, Secretary of State of the State of Missouri, do hereby certify that the records in my office and in my care and custody reveal that

CEDAR GLEN CONDOMINIUM OWNERS ASSOCIATION, INC.
N00057015

was created under the laws of this State on the 22nd day of July, 1997, and is in good standing, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 18th day of January, 2019.


Secretary of State



Certification Number: CERT-01182019-0005