

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
Jefferson City

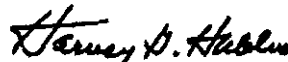
January 16, 1987

CASE NO. SN 87-52

Cara L. Detring, Attorney at Law, West First & South Jefferson Streets,
Farmington, MO 63640

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

Sincerely,



Harvey G. Hibbs
Secretary

uncertified copy:

Office of Public Counsel, P.O. Box 7800, Jefferson City, MO 65102
Patrick C. Boos, M.P.B. Inc., 761 Pine Haven, Fenton, MO 63026
Alois J. Koller, L and K Sewer Systems, Inc., 1400 S. Highway 141, Fenton, MO 63026
To the Presiding Commissioner of Franklin County

STATE OF MISSOURI
PUBLIC SERVICE COMMISSION

At a Session of the Public Service
Commission held at its office
in Jefferson City on the 16th
day of January, 1987.

Case No. SM-87-52

In the matter of the application
of L and K Sewer Systems, Inc. to
sell and transfer its franchise works,
or system to M.P.B., Inc., a corporation
of the State of Missouri.

ORDER

On November 17, 1986, L and K Sewer Systems, Inc. (hereinafter referred to as L and K Sewer Systems) filed its application to sell and transfer its franchise, works, or system to M.P.B., Inc. (hereinafter referred to as M.P.B.). On November 21, 1986, the Acting Secretary of the Commission sent notice of the proposed sale to the Franklin County Clerk pursuant to Section 393.190, RSMo Supp. 1984.

The Commission issued an Order on November 26, 1986, directing L and K Sewer Systems to send notice of the proposed sale and transfer to its affected customers. Interested persons or entities were ordered to intervene in Case No. SM-87-52. No applications to intervene in this case were filed. Since no proper party or governmental entity filed an application to intervene or a motion to schedule a hearing in this matter, the Commission determines that a hearing is not necessary to resolve the issues herein.

On December 3, 1986, Staff filed its Memorandum in this matter. Staff recommended approval of this application without a hearing. Staff stated that although the application did not address rates, it recommends that M.P.B. adopt the existing rates of L and K Sewer Systems which is \$12.11 per month for the customers in the Villa Ridge Estates service area. Staff further stated that M.P.B. has agreed with Staff that after the proposed transfer is completed, it will file a new tariff

which will include approved rates for each service area and service area descriptions.

L and K Sewer Systems has its principal office and place of business located at 1400 S. Highway 141, Fenton, Missouri. It is operating as a sewer corporation and is subject to the jurisdiction of the Missouri Public Service Commission. M.P.B. also operates as a sewer corporation and is subject to the jurisdiction of the Missouri Public Service Commission. M.P.B. is presently managing the existing facilities of L and K Sewer Systems.

L and K Sewer Systems proposed to sell and transfer to M.P.B. all of its franchise, works or system necessary and useful in the rendition of sewer treatment service to its customers in its certificated area. The legal description of the certificated area is set out in Schedule 1 to the application and a copy of the proposed contract and agreement is attached to the application as Schedule 2. Certified copies of the resolutions authorizing the proposed transaction by the Board of Directors of L and K Sewer Systems and M.P.B. are attached to the application as Schedules 3 and 4.

L and K Sewer Systems stated that the proposed transaction is not detrimental to the public interest in that M.P.B. is presently operating the facility and will continue to provide service.

L and K Sewer Systems requests that the Commission approve the sale to M.P.B. and authorize L and K Sewer Systems to discontinue providing sewer service in its certificated area as of the date of said sale.

Having given due consideration to the verified application and attached schedules and the recommendation of Staff, the Commission concludes that the proposed sale and transfer of L and K Sewer Systems' franchise, works or system to M.P.B., will not be detrimental to the public interest pursuant to Section 393.190, RSMo Supp. 1984, and should be granted. The Commission notes that the executed contract

included a provision that the contract is contingent upon obtaining Commission approval of the transfer.

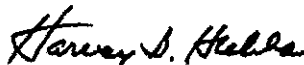
It is, therefore,

ORDERED: 1. That L and K Sewer Systems, Inc. be, and hereby is, authorized to sell and transfer its franchise, works or system to M.P.B., Inc.

ORDERED: 2. That upon the effective date of the transfer, the certificate of public convenience and necessity heretofore granted to L and K Sewer Systems, Inc. be, and hereby is, cancelled.

ORDERED: 3. That this Order shall become effective on the date hereof.

BY THE COMMISSION



Harvey G. Hubbs
Secretary

(S E A L)

Steinmeier, Chm., Musgrave, Mueller
and Fischer, CC., Concur.
Hendren, C., Absent.

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CASE NO. 507-87-52

WAS
Chairman

C.M.
Commissioner

G.G.M.
Commissioner

CBH
Commissioner

m
Commissioner

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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 16th day of January 1987.

Harvey G. Hubbs

Harvey G. Hubbs
Secretary