

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
December 9, 1998**

**CASE NO: WM-99-238**

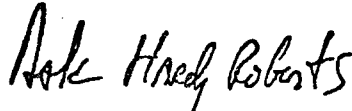
**Shannon Cook/John B. Coffman  
Office of the Public Counsel  
P.O. Box 7800  
Jefferson City, MO 65102**

**General Counsel  
Missouri Public Service Commission  
P.O. Box 360  
Jefferson City, MO 65102**

**Charles Brent Stewart/Jeffrey A. Keevil  
Stewart & Keevil, L.L.C.  
1001 Cherry Street, Suite 302  
Columbia, MO 65201**

**Enclosed find certified copy of ORDER in the above-numbered case(s).**

**Sincerely,**



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

**Uncertified Copy:**

**Michael J. Ashfield  
AquaSource, Inc.  
16810 Barker Springs, Suite B 215  
Houston, TX 77084**

**Garah F. Helms  
Capital Utilities, Inc.  
P.O. Box 7017  
Jefferson City, MO 65102**

**To the mayor of all municipalities located within Pettis, Cole, Callaway, Taney, Benton and  
Stone Counties  
To the county government bodies of the same counties**

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MISSOURI**

In the Matter of the Joint Application of )  
Capital Utilities, Inc., Riverside Utility )  
Company, Inc., and Foxfire Utility Company, )  
Inc. for Authority to Sell and Transfer )  
Their Stock and to Transfer Control of )  
Said Companies to Operating Subsidiaries )  
of AquaSource, Inc. )

Case No. WM-99-238

**ORDER AND NOTICE**

Capital Utilities, Inc., Riverside Utility Company, Inc., and Foxfire Utility Company, Inc. filed a joint Application with the Commission on November 25, 1998, for authority to sell and transfer stock and control of the companies to operating subsidiaries of AquaSource, Inc. The applicants requested expeditious approval of the sale and transfer and requested that the Commission issue its decision on or before December 31.

Proper parties should be given notice and an opportunity to intervene in this matter. The Records Department of the Commission shall send a copy of this order to the mayors of all municipalities located within Pettis, Cole, Callaway, Taney, Benton and Stone Counties, and to the county government bodies of the same counties. The Information Office of the Commission shall send notice of this application to the members of the General Assembly who represent Pettis, Cole, Callaway, Taney, Benton and Stone Counties, and to the newspapers that serve Pettis, Cole, Callaway, Taney, Benton and Stone Counties as listed in the

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newspaper directory of the current **Official Manual of the State of Missouri.**

Anyone wishing to intervene must submit an application to  
intervene to:

Secretary of the Missouri Public Service Commission  
P.O. Box 360,  
Jefferson City, Missouri 65102.

Copies of the application to intervene should be sent to:

Charles Brent Stewart  
Stewart & Keevil, L.L.C.  
1001 Cherry Street  
Suite 302  
Columbia, Missouri 65201

Michael J. Ashfield  
Manager - Acquisitions  
AquaSource, Inc.  
16810 Barker Springs  
Suite B 215  
Houston, Texas 77084

Garah F. Helms  
Capital Utilities, Inc.  
P.O. Box 7017  
Jefferson City, Missouri 65102

and

Office of Public Counsel  
P.O. Box 7800  
Jefferson City, Missouri 65102

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary and that the

Applicant may submit its evidence in support of the application by verified statement. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d 494, 496 (Mo. App. 1989).

**IT IS THEREFORE ORDERED:**

1. That the Information Office and the Records Department of the Missouri Public Service Commission shall provide notice as set out herein.

2. That any interested party wishing to intervene in this case shall file an application to do so no later than December 18, 1998. Such applications shall be filed with the Secretary of the Missouri Public Service Commission, P.O. Box 360, Jefferson City, Missouri 65102, and copies shall be served upon the Applicant's representative as set forth herein.

3. That the Staff of the Commission shall file a memorandum advising either approval or rejection of the sale and transfer and giving the reasons therefor no later than December 22, 1998.

4. That this order shall become effective on December 19, 1998.

BY THE COMMISSION

*Dale H. Roberts*

**Dale H. Roberts**  
**Chief Regulatory Law Judge/Secretary**

(S E A L)

Morris L. Woodruff, Regulatory Law Judge, by  
delegation of authority pursuant to  
4 CSR 240-2.120(1) (November 30, 1995)  
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 9th day of December, 1998.

**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,  
Missouri, this 9th day of December, 1998.**

*Dale Hardy Roberts*

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**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**