

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

In the matter of the application of Timber Creek)
Sewer Company for permission, approval, and a)
certificate of convenience and necessity authorizing)
it to construct, install, own, operate, control,)
manage and maintain a sewer company for the public)
located in an unincorporated area in Platte County,)
Missouri.)
)

Case No. SA-95-110

ORDER AND NOTICE

On October 4, 1994, Timber Creek Sewer Company (Applicant) filed an application with the Commission seeking a certificate of public convenience and necessity to provide sewer service to certain unincorporated areas in Platte County, Missouri. According to Exhibit three (3) attached to the application, the areas for which Applicant seeks a certificate of public convenience and necessity are all of the South East quarter (1/4) of the South East quarter (1/4) of Section 32, Township 53, Range 34; and, all of Section 6 located south of Interstate Highway 29 and west of Interstate Highway 435 and all of Section 7 located west of Interstate Highway 435, Township 52, Range 34, each such area located in Platte County, Missouri.

The Commission is of the opinion that an opportunity to intervene in this matter should be provided. Applications to intervene should be filed on or before November 14, 1994, with the Executive Secretary of the Missouri Public Service Commission, Post Office Box 360, Jefferson city, Missouri 65102, and copies sent to:

Willis C. Sherry, President
Timber Creek Sewer Company
#9 Timber Creek Drive
Post Office Box 511
Platte City, Missouri 64079

Jeremiah D. Finnegan, Esq.
FINNEGAN, CONRAD & PETERSON
1209 Penntower Office Center
3100 Broadway
Kansas City, Missouri 64111

The Commission is also of the opinion that the Records Department of the Commission should send a copy of this order to the County commission of Platte County. In addition, the Information Office of the Commission should send notice of this order to the publisher of each newspaper located in the proposed service area, as listed in the newspaper directory of the current *Official Manual of the State of Missouri*, to the members of the General Assembly representing the proposed service area, and to the property owners whose addresses are contained in Exhibit 8 attached to the application.

In the event no one files an application to intervene in this matter and neither the Commission Staff nor the Office of the Public Counsel requests a hearing, the Commission may allow Applicant to submit evidence in support of the application by verified statement.

The Commission is further of the opinion that Staff should make a detailed recommendation concerning any existing or potential deficiencies in the sewer system, a plan to correct such deficiencies, and Applicant's financial ability to meet existing and projected costs associated with the provision of safe and adequate sewer service. The Commission is concerned that owners of small sewer companies understand the responsibilities which attach to the granting of a certificate and that there be a reasonable plan to provide and maintain safe and adequate service to customers.

IT IS THEREFORE ORDERED:

1. That anyone wishing to intervene in this matter shall file an application to intervene with the Commission on or before November 14, 1994, and provide service as described in this order.

2. That notice of this matter shall be sent as specified in this order.

3. That this order shall become effective on the date hereof.

BY THE COMMISSION



David Rauch
Executive Secretary

(S E A L)

Thomas H. Luckenbill, Deputy Chief
Hearing Examiner, by delegation of
authority under Commission Directive
of August 16, 1994, pursuant to
Section 386.240, R.S.Mo. 1986.

Dated at Jefferson City, Missouri,
on this 13th day of October, 1994.