

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

In the Matter of Liberty Utilities (Missouri                    ) File No.     WR-2018-0170  
Water) LLC's Application for a Rate Increase            )                   SR-2018-0171

**OZARK MOUNTAIN CONDOMINIUM ASSOCIATION'S  
MOTION TO INTERVENE**

COMES NOW Ozark Mountain Condominium Association, Inc. ("OMCA"), pursuant to 4 C.S.R. 240-2.075, and for its Motion to Intervene in the above consolidated case, states as follows:

1.     OMCA is a Missouri nonprofit mutual benefit corporation in good standing.
2.     Pleadings, notices, orders, and other correspondence concerning this matter

should be addressed to:

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3.     Ozark Mountain Condominiums is a condominium development within Ozark Mountain Resort, located on the shoreline of Kennel Branch Cove on Table Rock Lake, just south of Kimberling City. The development consists of 101 privately-owned condominium units ("condos") divided between 14 buildings, and common elements including common grounds, a clubhouse and a swimming pool. The respective owner of each condo is billed for his or her

individually-metered water service and sewer directly by Liberty Utilities (Missouri Water) LLC (“Liberty”).

4. Like the individual condo owners, OMCA is also a customer of and receives individually-metered water service and sewer from Liberty. The water serves the common elements of the development including the irrigation system, swimming pool, and the clubhouse showers and toilets. The sewer serves the clubhouse showers and toilets.

5. OMCA opposes the rate increases sought by Liberty, which, according to the initial customer notice OMCA received from Liberty, would more than double the monthly minimum charges and usage charges under Liberty’s current tariffs. OMCA believes that Liberty has failed to provide adequate and reliable water and sewer service to it and to the Ozark Mountain Condominiums condo owners, and therefore the increases proposed by Liberty would be neither just nor reasonable.

6. OMCA not only has an interest that could be adversely affected by the outcome of this case, it also has an interest in this proceeding that is different than that of the general public in that OMCA is not just another individual customer of Liberty. In addition to managing the common elements of the development, when condo owners have problems with their service from Liberty, they often call on OMCA to act as a liaison between the owners and Liberty. In this capacity, OMCA has had more frequent and direct contact with Liberty personnel, and has gathered significantly more information about the state of repair of Liberty’s plant serving Ozark Mountain Condominiums and the adequacy and reliability of Liberty’s service, than any one customer or member of the general public would have.

7. If OMCA is granted intervention, it believes the detailed information it can provide to the Commission in this case, including approximately 8 years’ worth of records of

plant failure, inadequate service, disruptions in service, and poor customer service, will serve the public interest.

WHEREFORE, Ozark Mountain Condominium Association respectfully requests that the Commission grant its motion to intervene in this case.

SMITH LEWIS, LLP

/s/ Sarah E. Giboney

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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing Motion to Intervene was served on all of the following parties via e-mail this 30<sup>th</sup> day of January, 2018.

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/s/ Sarah E. Giboney \_\_\_\_\_  
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