

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
January 30, 2001**

**CASE NO: SM-2000-608**

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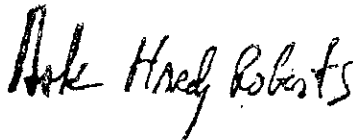
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**Enclosed find certified copy of an ORDER in the above-numbered case(s).**

**Sincerely,**



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

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 30th  
day of January, 2001.

|                                                |   |                             |
|------------------------------------------------|---|-----------------------------|
| In the Matter of the Application of Ozark      | ) |                             |
| Water and Wastewater Management Co., Inc. to   | ) |                             |
| Sell and Transfer its Franchise, Treatment     | ) |                             |
| Plant and Substantially All its Assets to      | ) | <u>Case No. SM-2000-608</u> |
| Northern Christian County Regional Wastewater  | ) |                             |
| Facility, Inc. (a Non-Profit Sewer Corporation | ) |                             |
| under 393.825, RSMo)                           | ) |                             |

**ORDER GRANTING APPLICATION TO INTERVENE OUT OF TIME**

On January 12, 2001, Familia Limited Partnership d/b/a English Village Mobile Home Community (English Village) filed an application requesting that the Commission permit it to intervene out of time as a party in this case. English Village states that it operates a mobile home community in Christian County, Missouri, and has its wastewater collection and treatment service provided by Ozark Water and Wastewater Management Co., Inc. (OWWM). English Village is opposed to the proposed sale of OWWM to Northern Christian County Regional Wastewater Facility, Inc.

English Village states that its interest in this proceeding is different from that of the general public in that it is the intermediary for approximately 220 separate residential hook-ups for OWWM service. English Village indicates that the aggregate wastewater of the English Village community accounts for the bulk of the treatment capacity operated by OWWM. English Village argues that its intervention would serve the public interest by aiding the decision processes of the Commission.

English Village acknowledges that the Commission imposed deadline for submission of requests to intervene expired on April 24, 2000.

However, it requests intervention because it believes that its interests would not be fully represented by the parties currently participating in this case. English Village states that it will abide by the procedural schedule previously established for this case.

OWWM filed a response to English Village's Application to Intervene on January 19, 2001. OWWM opposes the application to intervene because English Village has known about this case for a long time and could have filed a timely application to intervene. OWWM argues that English Village will seek to raise additional issues that were not anticipated when the procedural schedule was established. OWWM asserts that the interests of English Village can be adequately represented by the Office of the Public Counsel.

The Commission has reviewed the application to intervene and finds that it is in compliance with Commission rule 4 CSR 240-2.075. English Village, as a major customer of OWWM, clearly has an interest in this matter that is different from that of the general public and which may be adversely affected by a final order arising from the case. The interests of English Village cannot be adequately represented by any other party to the case.

Because English Village's application to intervene was not timely filed, 4 CSR 240-2.075(5) provides that the Commission may grant the application upon a showing of good cause. English Village has shown good cause to permit its late intervention in that its participation will serve the public interest by allowing for a more full and complete consideration of all possible effects of the proposed transaction. The Commission concludes that the application to intervene out of time should be granted.

**IT IS THEREFORE ORDERED:**

1. That the Application of Familia Partnership d/b/a English Village Mobile Home Community to Intervene Out of Time is granted.

2. That this order shall become effective on February 9, 2001.

**BY THE COMMISSION**

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive style with a large initial "D".

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

( S E A L )

Drainer, Murray, Schemenauer, and Simmons, CC., concur  
Lumpe, Ch., absent

Woodruff, Senior Regulatory Law Judge

Alt/Sec'y:

*Woodru FF/Bate*

Date Circulated

CASE NO.

*1-23*

*SM-2000-608*

*Lumpé, Chair*

*Drainé, Vice Chair*

*Murray, Commissioner*

*Scheenauer, Commissioner*

*Simmons, Commissioner*

Agenda Date

Action taken:

Must Vote Not Later Than

*1-30*  
*14-00 AS*

## 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 30<sup>th</sup> day of Jan. 2001.

*Dale Hardy Roberts*

Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge

