

11/9

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

In the Matter of the Application of the City of)
Columbia, Missouri and Consolidated Public Water)
Supply District No. 1 of Boone County, Missouri) Case No. WO-99-129
for Approval of a Territorial Agreement Concern-)
ing Territory Encompassing Part of Boone County,)
Missouri.)

ORDER AND NOTICE

On September 30, 1998, the City of Columbia, Missouri (Columbia) and Consolidated Public Water Supply District No. 1 (PWS1), collectively referred to as Applicants, filed for approval of a territorial agreement. Pursuant to Section 416.041.3, RSMo Supp. 1997, the Commission must determine whether the designation of service territory in the agreement is detrimental to the public interest.

Applicants state that they have mutually agreed to displace competition between themselves as allowed by law and have set out the terms of their agreement in a document entitled "Territorial Agreement" (hereinafter, Territorial Agreement), which is attached to the Application and marked as Appendix A. The Territorial Agreement contains a map and legal descriptions which, according to the Application, represent the respective boundaries. Applicants request that the Commission find that their designation of a water service area is not detrimental to the public interest and that the Commission approve implementation of the Territorial Agreement by Report and Order.

Upon review of the filing, the Commission is of the opinion that notice of this Application should be sent to interested persons, an intervention date set and an expedited procedural schedule established,

as the Commission must rule on the Application within 120 days from September 30, 1998 unless otherwise ordered by the Commission for good cause shown.

Rather than adopting a procedural schedule at this time, the Applicants, Staff and the Office of the Public Counsel may file a proposed procedural schedule. The Commission determines that notice of this Application should be given by the Commission's Records Department sending a copy of this order to the County Commission of Boone County, Missouri. The Commission further determines that the Information Officer of the Commission should provide notice to the members of the General Assembly representing the Applicants' service areas and to the newspapers which serve Applicants' service areas as listed in the newspaper directory of the current Official Manual of the State of Missouri. The Applicants shall send notice of this application to any customer(s) whose supplier will be changed by the Territorial Agreement.

Proper persons wishing to intervene shall have 20 days from the date of this order to file an application to intervene with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and a copy of the application to intervene shall be sent to:

Fred Boeckmann, City Counselor
City of Columbia
Post Office Box N
Columbia, Missouri 65205

J. Turner Jones
Jones, Schneider & Bartlett
11 North Seventh Street
Columbia, Missouri 65201

IT IS THEREFORE ORDERED:

1. That the Records Department and Information Office of the Missouri Public Service Commission be directed hereby to send notice as set forth in this order.

2. That the City of Columbia, Missouri, and Consolidated Public Water Supply District No. 1 shall send notice as set forth in this order.

3. That any interested person wishing to intervene in this case shall file an application to intervene as listed in this order no later than November 30, 1998.

4. That the Applicants, Staff and Public Counsel may file a proposed procedural schedule on or before December 2, 1998.

5. That absent a request to the contrary, this matter has been set for hearing on January 5, 1999, at 9:00 a.m. in the Commission's hearing room on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri.

6. That anyone wishing to attend who has special needs as addressed by the Americans With Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one of the following numbers: Consumer Services Hotline - 1-800-392-4211, or TDD Hotline - 1-800-829-7541.

7. That this order shall become effective on November 9, 1998.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Dale Hardy Roberts, Chief 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 November, 1998.

RECEIVED
NOV 10 1998
COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION