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

In the Matter of the Application of )  
George Hoesch for a Certificate of )  
Convenience and Necessity )  
Authorizing Him to Construct, )  
Install, Own, Operate and Maintain ) CASE NO. SA-97-357  
a Sewer System for the Public, )  
Located in an Unincorporated Area )  
of the County of Gasconade, )  
Missouri. )

**ORDER SETTING PREHEARING CONFERENCE AND**  
**ORDER GRANTING INTERVENTION OUT OF TIME**

On March 3, 1997, George Hoesch filed an application with the Commission requesting issuance of a certificate of convenience and necessity to construct, install, own, operate, control, manage and maintain a water and sewer system for the public in an unincorporated area of Gasconade County, Missouri.

Although a procedural schedule was previously established in this case, that schedule was suspended at the request of the applicant until it completed a second feasibility study. Documents substituting for that study were submitted on February 17. On April 14, 1998, the Staff of the Commission (Staff) requested the Commission set a prehearing conference to allow the parties to establish a new procedural schedule or stipulation and agreement. The Staff suggests dates in May and June for this prehearing conference.

On April 20, the State of Missouri, at the relation of Jeremiah W. Nixon, Attorney General of the State of Missouri and the Missouri Clean Water Commission (State), filed an application to intervene. In its Order and Notice issued March 21, 1997, the Commission established an intervention deadline of April 21, 1997 in this case. Pursuant to 4 CSR

240-2.075(4)(D) the Commission may grant untimely applications to intervene upon a showing of good cause. The State claims it has been following the progress of this case and did not believe it was necessary to intervene until it had difficulty in keeping up to date. The State further states that it does not oppose the application and that it may have information relevant to this case which will aid in the Commission's consideration. No party has opposed the State's application to intervene. The Commission finds that good cause exists to allow the late intervention of the State.

**IT IS THEREFORE ORDERED:**

1. That the application to intervene filed on April 14 by the State of Missouri, at the relation of Jeremiah W. Nixon, Attorney General of the State of Missouri and the Missouri Clean Water Commission, is granted.

2. That a prehearing conference is now set in this matter for June 3, 1998, at 10:00 a.m. in the Commission's offices on the fifth floor of the Harry S Truman State Office Building, 301 West High Street, Jefferson City, Missouri. Any persons with 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.

3. That the parties shall file a proposed procedural schedule no later than June 26, 1998.

4. That this order shall become effective on May 27, 1998.

**BY THE COMMISSION**

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

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

(S E A L)

Lewis Mills, Deputy Chief  
Regulatory Law Judge, by delegation  
of authority under Commission Directive  
of January 3, 1995, pursuant to  
Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,  
on this 27th day of May, 1998.

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MAY 27 1993

COMMISSION COUNSEL  
JULIO SERVICE COMMISSION