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BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Joint Application of)
Ozark Mountain Water Company and Riverside)
Utility Company to Sell and Transfer its)
Franchise, Works or System to Riverside)
Utility Company.)
Case No. WM-99-165

ORDER AND NOTICE

On October 16, 1998, Ozark Mountain Water Company (Ozark Mountain) and Riverside Utility Company (Riverside) filed a joint application with the Commission requesting an order approving the sale of Ozark Mountain's water franchise, works or system to Riverside.

The joint applicants stated that Ozark Mountain is a Missouri corporation duly organized and existing under the laws of the State of Missouri with its principal place of business located at Shell Knob, Missouri. The joint applicants further stated that Riverside is a Missouri corporation duly organized and existing under the laws of the State of Missouri with its principal place of business located at 312 Lafayette Street, Jefferson City, Missouri. The joint application stated that both applicants are investor-owned utilities subject to the jurisdiction, regulation, supervision and control of the Commission insofar as they provide water services to the public in the State of Missouri. Ozark Mountain proposed to sell and transfer to Riverside all of Ozark Mountain's franchise, works or system necessary and useful in the rendition of water service to its customers in its certificated area as set forth in the Agreement for Sale of Water Systems attached to their

joint application. After completion of the sale of assets, applicants indicated that Ozark Mountain will distribute the net proceeds of the sale to its shareholders and discontinue water service in its certificated areas.

The joint applicants stated that the proposed sale is not detrimental to the public interest because Riverside is an existing water corporation and public utility, whose management possesses a considerable amount of experience in the provision of water service. In addition, the joint applicants stated that Riverside possesses the managerial, engineering and financial expertise to continue to provide good quality water service to the public currently served by Ozark Mountain.

Proper parties should be given notice and an opportunity to intervene in this matter. The Records Department of the Commission shall send a copy of this order to the county commissions of Barry County and Stone County, as these entities are listed in the current *Official Manual of the State of Missouri*. In addition, the Information Office of the Commission shall send notice of this application to the members of the General Assembly who represent customers in Barry County and Stone County, and to the newspapers located in Barry County and Stone County, as listed in the newspaper directory of the current *Official Manual of the State of Missouri*.

The requirement of a hearing has been fulfilled when all those having a desire to be heard are offered an opportunity to be heard. If no proper party is granted intervention and neither the Commission's Staff nor the Office of the Public Counsel requests a hearing, the Commission may determine that a hearing is not necessary and that the

applicants may submit their evidence in support of the application by verified statement. State ex rel. Deffenderfer Enterprises, Inc. v. P.S.C., 776 S.W.2d 494, 496 (Mo. App. 1989).

IT IS THEREFORE ORDERED:

1. That the Information Office and the Records Department of the Missouri Public Service Commission shall provide notice as set out herein.

2. That any interested party wishing to intervene in this case shall file an application to do so no later than December 2, 1998, with:

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

and send copies to:

Dean L. Cooper
Brydon, Swearengen & England, P.C.
312 East Capitol Avenue
Post Office Box 456
Jefferson City, Missouri 65102

and

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

3. That this order shall become effective on November 12, 1998.

BY THE COMMISSION

A handwritten signature in black ink, reading "Dale Hardy Roberts". The signature is written in a cursive, flowing style.

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(S E A L)

Shelly A. Register, 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 2nd day of November, 1998.

RECEIVED

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COMMISSION COUNSEL
PUBLIC SERVICE COMMISSION