

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

In the Matter of the Application of)	
RDG Development, LLC for Authority to Sell)	
Assets to Greenwood Hills Homeowners)	File No. _____
Association and, in Connection Therewith,)	
Certain Other Related Transactions.)	

APPLICATION

COMES NOW RDG Development, LLC (RDG), and, pursuant to Section 393.190, RSMo 2000, 4 CSR 240-2.060 and 4 CSR 240-3.310, states the following to the Missouri Public Service Commission (Commission):

BACKGROUND INFORMATION

1. RDG is a Missouri limited liability company duly organized and existing under the laws of the State of Missouri with its principal office and place of business located at P.O. Box 932, Fulton, MO 65251. A copy of a certificate from the Missouri Secretary of State that RDG is in good standing was submitted in Case No. SA-2010-0096 and is incorporated herein by reference. RDG currently provides sewer service to approximately 33 customers in an unincorporated area in Callaway County, Missouri pursuant to a certificate granted by the Commission in Case No. SA-2010-0096.

2. RDG is a “sewer corporation” and a “public utility” as those terms are defined in Section 386.020 RSMo. 2000, and is subject to the jurisdiction and supervision of the Commission as provided by law. RDG has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court that involve customer service or rates, which action, judgment or decision has occurred within the last three years. RDG has no overdue Commission annual reports or assessment fees.

3. Greenwood Hills Homeowners Association (Greenwood) is a Missouri non-profit

corporation. Greenwood Hills has a principal office and place of business located at 7012 Greenwood, Fulton, Missouri 65251.

4. Greenwood was formed on April 22, 2010 by the residents of the Greenwood Hills Subdivision for the purpose of being the homeowners association for the Greenwood Hills Subdivision, to manage common property in Greenwood Hills Subdivision, to exercise its rights under the Restrictions and Covenants for Greenwood Hills Homeowners Association and to take all other actions and exercise all other powers related thereto.

5. Communications in regard to this Application should be addressed to:

Dean L. Cooper
Brydon, Swearngen & England P.C.
312 East Capitol Avenue
P.O. Box 456
Jefferson City, Missouri 65102
(573) 635-7166
(573) 635-3847 (facsimile)
dcooper@brydonlaw.com

THE TRANSACTION

6. RDG and Greenwood have entered into a Contract dated June 22, 2010, a copy of which is marked **Appendix A**, and attached hereto.¹ Pursuant to the Contract, Greenwood agrees to obtain and acquire certain sewer facilities of RDG as specifically described in the Contract under the terms and provisions further described in the Contract.

7. Because RDG is a sewer corporation doing business in the State of Missouri, it is subject to the provisions of Section 393.190.1, RSMo 2000, which states, in pertinent part, that “no . . . sewer corporation shall hereafter sell, assign, lease, transfer, mortgage or otherwise dispose of or encumber the whole or any part of its franchise, works or system, necessary or useful in the

¹ The Exhibit A referenced by the Contract is not being provided at this time. In accordance with

performance of its duties to the public . . . without having first secured from the Commission an order authorizing it so to do.”

ADDITIONAL INFORMATION

8. The members of RDG have authorized the sale of the subject assets and related transactions contemplated by the Contract.

9. It is unclear what impact the sale of assets may have on the tax revenues of relevant political subdivisions.

PUBLIC INTEREST

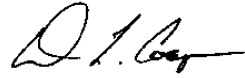
10. The proposed sale of the specified assets of RDG and the related transactions are not detrimental to the public interest of the State of Missouri. The assets of RDG will be acquired by Greenwood, an organization made up of the customers of RDG. Greenwood will utilize the rates, rules and regulations that are determined by its members/customers to be appropriate.

WHEREFORE, RDG respectfully requests that the Commission issue its order:

- (A) authorizing RDG to sell the assets identified herein;
- (B) authorizing RDG to perform in accordance with the terms described in the Contract that is attached to this Application and to take any and all other actions which may be reasonably necessary and incidental to the performance of the sale;
- (C) authorizing RDG, effective upon the closing of the transaction, to terminate its responsibilities as a sewer corporation in Missouri, and cancelling RDG’s certificate of convenience and necessity and its filed tariff; and,
- (D) granting such other relief as may be deemed necessary and appropriate to accomplish the purposes of the Agreement and the Application and to consummate related transactions in

accordance with the Agreement.

Respectfully submitted,



Dean L. Cooper MBE #36592
BRYDON, SWEARENGEN & ENGLAND P.C.
312 E. Capitol Avenue
P. O. Box 456
Jefferson City, MO 65102
(573) 635-7166 voice/(573) 635-0427 facsimile
dcooper@brydonlaw.com

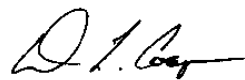
ATTORNEYS FOR RDG DEVELOPMENT, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was sent by electronic mail to the following this 12th day of July, 2010:

Office of the General Counsel
Missouri Public Service Commission
Governor State Office Building
Jefferson City, Missouri 65101
gencounsel@psc.mo.gov

Office of the Public Counsel
Governor State Office Building
Jefferson City, Missouri 65101
opcservice@ded.mo.gov



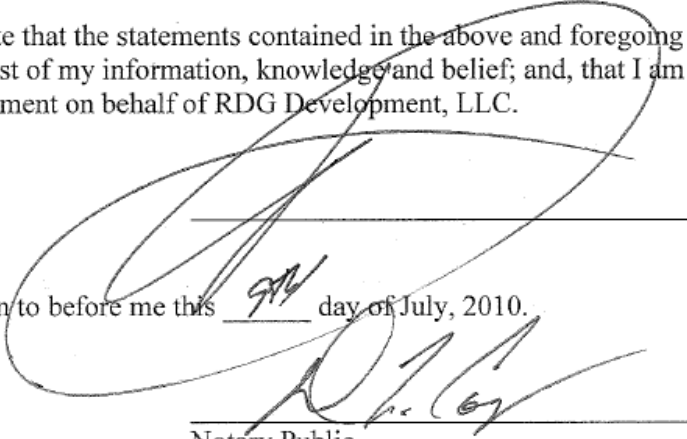
Dean L. Cooper

VERIFICATION

STATE OF MISSOURI)
)
COUNTY OF COLE) ss

I, Rodney Glenn, state that the statements contained in the above and foregoing document are true and correct to the best of my information, knowledge and belief; and, that I am authorized to make this statement on behalf of RDG Development, LLC.

Subscribed and sworn to before me this 9th day of July, 2010.



Notary Public

My Commission Expires:

(SEAL)
Dean L. Cooper
Notary Public-Notary Seal
State of Missouri
County of Cole
Commission # 07433496
My Commission Expires Mar. 3, 2011