

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

In the Matter of Missouri-American Water )  
Company for Certificates of Convenience and )  
Necessity Authorizing it to Install, Own, Acquire, ) **File No. SA-2019-0183**  
Construct, Operate, Control, Manage and )  
Maintain a Sewer System in an area of Clinton )  
County, Missouri (Timber Springs Estates) )

**JOINT RESPONSE TO ORDER DIRECTING FILING**

**COMES NOW** the Public Service Commission Staff (“Staff”), on behalf of itself and Missouri-American Water Company (“MAWC”), by and through counsel, and for this *Joint Response to Order Directing Filing*, states as follows:

1. On April 10, 2019, the Commission issued its *Order Directing Filing* identifying concerns that the proposed service area included in MAWC’s application requesting a Certificate of Convenience and Necessity (“CCN”) to install, own, acquire, construct, operate, control, manage, and maintain a sewer system in the Timber Springs Estates subdivision in Clinton County, Missouri, extends beyond the Timber Springs Estates Subdivision and includes two unregulated sewer systems not owned by MAWC.

2. In its *Order*, the Commission directed its Staff and MAWC to submit alternative boundaries for the CCN service area for the Commission’s decision no later than April 12, 2019. Specifically, the Commission requested Staff and MAWC develop:

- I. A service area following the boundaries of the current Timber Springs Estates subdivision (“Alternative 1”); and
- II. A service area that includes the Timber Springs Estates subdivision and any adjacent area where customers could reasonably be expected to connect to the Timber Springs Estates subdivision sewer system (but not inclusive of any of the two systems not owned by MAWC) (“Alternative 2”).

3. Staff and MAWC, in collaboration, have developed two alternative service areas as requested by the Commission. Attached to this *Response* as Appendix A is a visual representation and comparison of the two alternative service areas. Legal descriptions of each are also attached hereto as Appendices B and C.

**WHEREFORE**, Staff, on behalf of itself and MAWC, respectfully submits this *Joint Response to Order Directing Filing* for the Commission's information and consideration; and request the Commission grant such other and further relief as it deems just in the circumstances.

Respectfully Submitted,

**/s/ Mark Johnson**

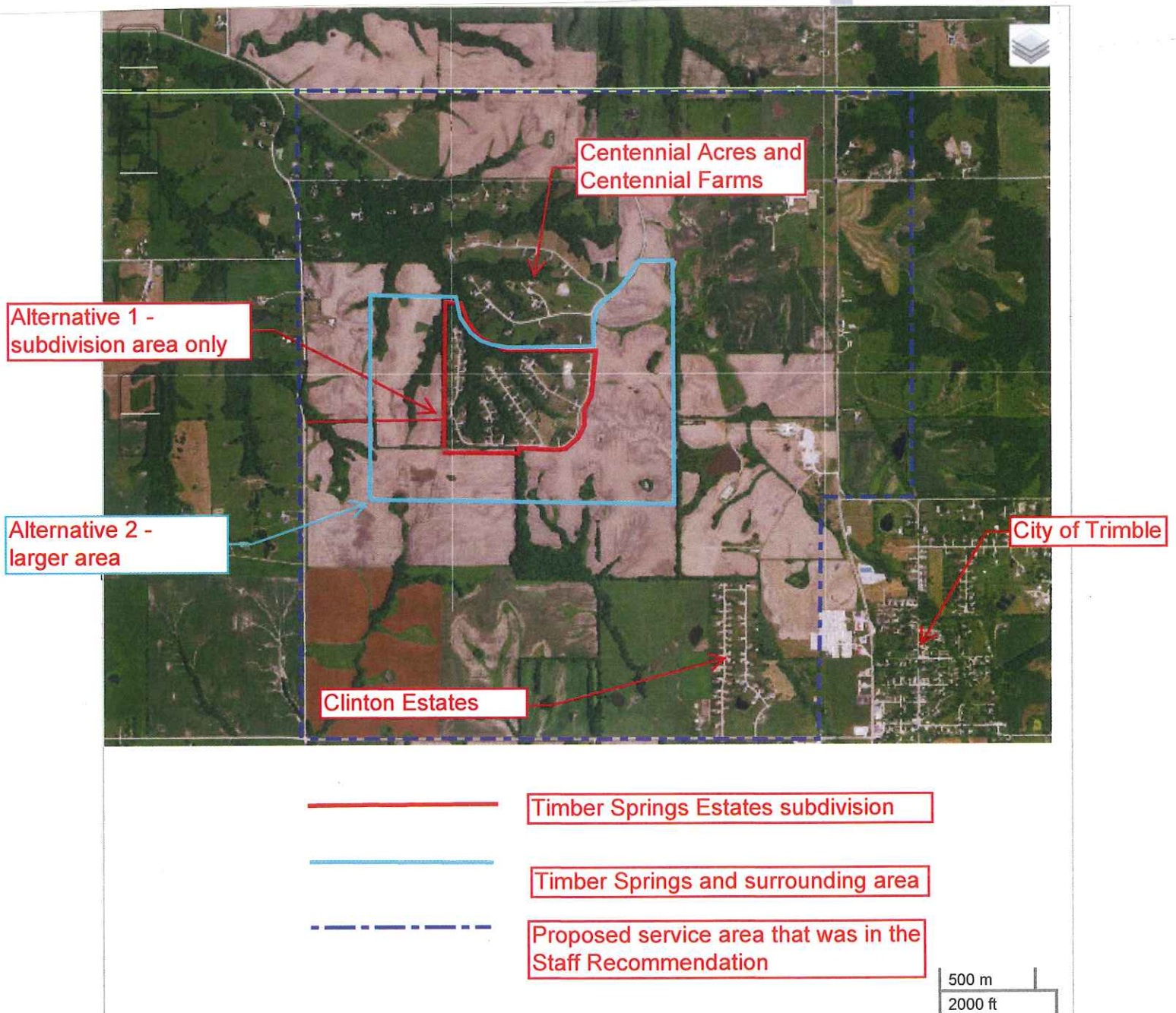
Mark Johnson  
Deputy Staff Counsel  
Missouri Bar Number 64940  
P.O. Box 360  
Jefferson City, MO 65102  
573-751-7431 (Voice)  
573-526-6969 (Fax)  
[mark.johnson@psc.mo.gov](mailto:mark.johnson@psc.mo.gov)

Attorney for Staff of the  
Missouri Public Service Commission

### **CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing have been mailed or hand-delivered, transmitted by facsimile or electronically mailed to all parties and or counsel of record on this 12<sup>th</sup> day of April 2019.

**/s/ Mark Johnson**



**Alternative 1- Legal Description - Timber Springs, subdivision only**

A boundary closely tracking Timber Springs subdivision, located in Sections 15 and 22, Township 54 North, Range 33 West of the Fifth Principal Meridian, Clinton County in the State of Missouri and being more particularly described as follows:

**Beginning;** at the SW corner of Section 15 Township 54 North, Range 33 West; thence west along the South line of Section 15 a distance of 2,357 feet to a point that is the True Point of Beginning;

Thence north along a line that is parallel to the west line of said Section 15 a distance of 1,900 feet to a point;

Thence east along a line that is parallel to the south line of Section 15 a distance of 260 feet to a point;

Thence South  $11^{\circ} 0' 0''$  East a distance of 270 feet to a point;

Thence South  $36^{\circ} 52' 0''$  East a distance of 500 feet to a point;

Thence S  $69^{\circ} 51' 0''$  E a distance of 320 feet m/l to a point that is on the north line of the SW quarter of the SE quarter of Section 15;

Thence east along the said north line of the SW quarter of the SE quarter of Section 15 a distance of 400 feet m/l to the NE corner of said SW quarter of the SE quarter of Section 15, and continuing east along the north line of the SE quarter of the SE quarter of Section 15 a distance of 1,220 feet m/l to the centerline of SW Reed Lane;

Thence southerly along the centerline of SW Reed Lane a distance of 1,175 feet m/l to the south line of Section 15 and also the north line of Section 22 Township 54 North, Range 33 West, and continuing southerly and westerly along the centerline of SW Reed Lane a distance of 1,310 feet m/l to the west line of the NE quarter of the NE quarter of said Section 22;

Thence south along the said west line of the NE quarter of the NE quarter of Section 22 to a point that is 470 feet south of the NW corner of the NE quarter of the NE quarter of Section 22;

Thence west along a line that is parallel to the north line of Section 22 to a point that is 2,357 feet east of the west line of Section 22;

Thence north along a line that is parallel to the west line of Section 22 a distance of 470 feet to the True Point of Beginning.

## **Alternative 2 –Legal Description - Timber Springs, subdivision and limited surrounding area**

A tract of land located in Sections 14, 15, 22 and 23, Township 54 North Range 33 West of the Fifth Principal Meridian, Clinton County in the State of Missouri and being more particularly described as follows:

**Beginning;** at the SW corner of the NE Quarter of the NW quarter of Section 22 Township 54 North Range 33 West; thence north along the east line of said SW corner of the NE Quarter of the NW quarter of Section 22 a distance of 1,350 feet m/l to the north line of Section 22 and also the south line of Section 15 Township 54 North Range 33 West;

Thence continuing north along the west line of the west half of said Section 15 a distance of 1,900 feet to a point;

Thence east along a line that is parallel to the south line of Section 15 a distance of 1,400 feet to a point;

Thence South  $11^{\circ} 0' 0''$  East a distance of 270 feet to a point;

Thence South  $36^{\circ} 52' 0''$  East a distance of 500 feet to a point;

Thence S  $69^{\circ} 51' 0''$  E a distance of 320 feet m/l to a point that is on the north line of the SW quarter of the SE quarter of Section 15;

Thence east along the said north line of the SW quarter of the SE quarter of Section 15 a distance of 400 feet m/l to the NE corner of said SW quarter of the SE quarter of Section 15, and continuing east along the north line of the SE quarter of the SE quarter of Section 15 a distance of 1,220 feet m/l to the centerline of SW Reed Lane;

Thence northerly and northeasterly along the centerline of SW Reed Lane, crossing easterly across the west line of the SW quarter of Section 14, Township 54 North Range 33 West, a distance of 1,860 feet m/l to the north line of the said SW quarter of Section 14;

Thence east along the north line of the SW quarter of Section 14 a distance of 560 feet m/l to the NE corner thereof;

Thence south along the east line of the west half of the SW quarter of Section 14 to the SE corner thereof also the NE corner of the NW quarter of the NW quarter of Section 23 Township 54 North Range 33 West; and continuing south along the east line of said NW quarter of the NW quarter of Section 23 to the SE corner thereof;

Thence west along the south line of the NW quarter of the NW quarter of Section 23 to the SW corner thereof also the SE corner of the North half of the NE quarter of Section 22 Township 54 North Range 33 West;

Thence west along the south line of the said North half of the NE quarter of Section 22 to the SW corner thereof also the SE corner of the NE quarter of the NW quarter of Section 22;

Thence continuing west along the south line of the NE quarter of the NW quarter to the SW corner thereof, and the Point of Beginning.

Containing 363.7 acres, m/l.