

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION  
JEFFERSON CITY  
January 29, 1998**

**CASE NOS: WA-98-36, WA-97-110, WC-98-211**

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**Osage Water Company**  
Highway 54 West  
Osage Beach, MO 65065

**Enclosed you will find certified copy of ORDER in the above-numbered case(s).**

**Sincerely,**



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

**Uncertified Copy:**

**STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service  
Commission held at its office  
in Jefferson City on the 29th  
day of January, 1998.

In the Matter of the Application of )  
Osage Water Company for Permission, )  
Approval, and a Certificate of )  
Convenience and Necessity Authorizing )  
it to Construct, Install, Own, )  
Operate, Control, Manage and Maintain )  
a Water and Sewer System for the )  
Public Located in an Unincorporated )  
Portion of Camden County, Missouri. )

Case No. WA-98-36

In the Matter of the Application of )  
Osage Water Company for Permission, )  
Approval and a Certificate of )  
Convenience and Necessity Authorizing )  
it to Construct, Install, Own, )  
Operate, Control, Manage and Maintain )  
a Water and Sewer System for the )  
Public Located in Unincorporated )  
Portions of Camden County, Missouri. )

Case No. WA-97-110

Osage Beach Fire Protection District, )  
Complainant, )  
v. )  
Osage Water Company, )  
Respondent. )

Case No. WC-98-211

**ORDER DENYING MOTION TO RECONSIDER**

On December 12, 1997, Osage Beach Fire Protection District,  
(District) filed a Motion to Consolidate Case Nos. WC-98-211, WA-97-110 and  
WA-98-36, all concerning Osage Water Company (OWC or Company). On  
January 6, 1998, the Commission issued an Order Denying Motion to

Consolidate. The order stated that the motion was denied because the three cases do not involve common questions of law and fact.

On January 16 the District filed a Motion to Reconsider and requested that the Commission reconsider its Order Denying Motion to Consolidate. The District argued that the Commission's order is unlawful, unjust and unreasonable because Staff was ordered to complete its audit before making a recommendation. The District stated that Staff did not complete its audit before making a recommendation, used inconsistent criteria in forming an opinion in making the recommendation, and did not have all the facts available about OWC's finances, operations and ability to manage a water and sewer company before making said recommendation.

The Commission has reviewed the Motion to Reconsider filed by the District. The Commission's order was not based on whether or not Staff completed its audit before recommending that the Commission grant OWC a certificate of public convenience and necessity. The Commission's order was based on the fact that the three cases do not involve common questions of law and fact. Therefore, the Commission determines that the motion should be denied.

**IT IS THEREFORE ORDERED:**

1. That the Motion to Reconsider filed by Osage Beach Fire Protection District on January 16, 1998, is denied.

2. That this order shall become effective on February 10, 1998.

**BY THE COMMISSION**

*Dale Hardy Roberts*

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

(S E A L)

Lumpe, Ch., Crumpton, Murray,  
and Drainer, CC., concur.

G. George, Regulatory Law Judge

ALJ/Sec'y:

George Boyce

WA-98-36

WA-97-110

WC-88-24

1-27  
Date Circulated

CASE NO.

[Signature]  
Lumpe, Chair

[Signature]  
Crompton, Commissioner

[Signature]  
Murray, Commissioner

[Signature]  
Commissioner

[Signature]  
Drainer, Vice-Chair

1-29  
Agenda Date

Action taken: \_\_\_\_\_

Must Vote Not Later Than \_\_\_\_\_

4-0 AS

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

I have compared the preceding copy with the original on file in this office and  
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,  
Missouri, this 29th day of January, 1998.

Dale Hardy Roberts

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