

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of Lincoln County Utilities Co.'s)
Application to Sell Its Sewer/Treatment Facility)
to the Public Water Supply District No. 1 of)
Lincoln County, Missouri.)
Case No. SM-2006-0369

ORDER DIRECTING NOTICE AND ADDING
PUBLIC WATER SUPPLY DISTRICT NO. 1 OF
LINCOLN COUNTY, MISSOURI AS A PARTY

Issue Date: March 31, 2006

Effective Date: March 31, 2006

On March 27, 2006, Lincoln County Utilities Co. (Lincoln Utilities) filed an application with the Commission requesting authority to sell its sewer/treatment facility to the Public Water Supply District No. 1 of Lincoln County, Missouri (the Water District). Lincoln Utilities is a small privately owned sewer system subject to the jurisdiction of the Public Service Commission and located in Bellflower, Missouri.

The Water District is not subject to regulation by the Commission and did not join in the application. The Water District's presence as a party is necessary for a full consideration of Lincoln Utilities' application. Therefore, the Water District will be added as a party to this case.

Proper parties should be given notice and an opportunity to intervene in this matter. The Data Center of the Commission shall send a copy of this order to the County Commission of Lincoln County, Missouri, and to the Missouri Department of Natural Resources. The Information Officer of the Commission shall make notice of this application

available to the members of the General Assembly who represent Lincoln County, and to the media that serve Lincoln County.

Proper persons wishing to intervene shall file an application to intervene with the Secretary of the Missouri Public Service Commission. Copies of the application to intervene should be sent to the parties listed below.

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 Lincoln Utilities may submit its evidence in support of the application by verified statement.¹

IT IS ORDERED THAT:

1. The Public Water Supply District No. 1 of Lincoln County, Missouri, is made a party to this case.
2. The Information Office and the Data Center of the Missouri Public Service Commission shall provide notice as set out herein.
3. Any interested person wishing to request a hearing or intervene in this case shall file a request or an application on or before April 20, 2006 with:

Colleen M. Dale, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

¹ *State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission*, 776 S.W.2d 494, 496 (Mo. App. 1989).

and copies shall be served upon the following persons:

Patrick S. Flynn
Post Office Box 336
Troy, Missouri 63379

Attorney for Lincoln County Utilities Co.;

Lewis, Rice & Fingersh, L.C.
1200 Jefferson, P.O. Box 1040
Washington, Missouri 63090
Attention: Mark C. Piontek;

Attorneys for the Public Water Supply District No. 1
of Lincoln County, Missouri;

and

Office of the Public Counsel
Post Office Box 2230
Jefferson City, Missouri 65102

4. That this order shall become effective on March 31, 2006.

BY THE COMMISSION



Colleen M. Dale
Secretary

(S E A L)

Cherlyn D. Voss, Regulatory Law Judge,
by delegation of authority pursuant
to Section 386.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 31st day of March, 2006.