

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the matter of the application of Village Water and)
Sewer Company, Inc. for permission, approval and a)
certificate of convenience and necessity authorizing)
it to construct, install, own, operate, control,) CASE NO. WA-90-47
manage and maintain a community water and sewer system)
for the public, located in an unincorporated area in)
Johnson County, Missouri.)

APPEARANCES: Michael Lazaroff, Attorney at Law, Thompson & Mitchell,
One Mercantile Center, Suite 3400, St. Louis, Missouri
63101, for the Applicant.

Hearing
Examiner: Michael F. Pfaff

REPORT AND ORDER

On August 25, 1989, Village Water and Sewer Company, Inc. (Applicant) filed a verified application seeking a certificate of public convenience and necessity authorizing it to provide services as a public water and sewer system in an unincorporated area in Johnson County, Missouri.

On September 8, 1989, the Commission issued its Order and Notice and established an intervention deadline of November 8, 1989. No interventions were filed.

Findings of Fact

The Missouri Public Service Commission, having considered all of the competent and substantial evidence upon the whole record, makes the following findings of fact:

Applicant is a Missouri corporation duly organized and existing under the laws of the State of Missouri. Applicant's principal place of business and office is located a 1001 Craig Road, Suite 396, St. Louis, Missouri. The metes and bounds

description of the proposed service area is attached to Applicant's application as Exhibit No. 3; a map of the proposed area to be served is attached as Exhibit 2.

There are no water or sewer companies under the Commission's jurisdiction serving in the proposed area; neither are there incorporated cities within said area.

In its Order and Notice issued on September 8, 1989, the Commission noted that Applicant was to file, as late-filed exhibits, any necessary authorizations from Johnson County, Missouri, a construction permit from the Department of Natural Resources, and a feasibility study. On October 12, 1989, Applicant filed an economic feasibility study which contained the materials requested. On December 6, 1990, Applicant amended its feasibility study by filing a proposed service area map and an amended description of the area to be served.

On December 14, 1990, the Commission Staff filed a memorandum recommending that Applicant be granted certificates of convenience and necessity for water and sewer services, and recommending the approval of the following rates:

Water Service:

Customer charge includes 1 ccf (748 gal.) per month	\$ 7.61 per month
Commodity charge	\$ 1.28 per ccf
Average monthly bill for a customer using 9 ccf would be	\$17.85

Sewer Service:

Flat Rate - \$11.17 a month per single family residential customer.

Staff's recommendation also notes that Applicant has retained Aqua Utility Consultants, Inc. to manage said systems, and that Missouri Cities Water Company will operate same.

The Commission finds that the Applicant is qualified and financially able to operate the water and sewer system described in the application. The Commission has determined that there is now and will be a future need for adequate water and sewer services in the proposed service area and that it is in the public interest to

grant the authority requested by the Applicant. The Commission further determines that the rates prescribed herein are reasonable and should be adopted.

Conclusions of Law

The Missouri Public Service Commission has arrived at the following conclusions of law:

The Commission has jurisdiction over this application pursuant to Sections 393.170 and 393.150, RSMo 1986. The Commission has determined that a hearing is not necessary in this case. The requirements of a hearing have been met when all those having a desire to be heard are given such an opportunity. Although notice was given, no interventions or motions for hearing were filed. Applicant submitted its evidence by verified statement. Since there has been no objection to the evidence, the Commission has concluded that pursuant to Section 536.070(12), the affidavits are sufficient foundation to grant the requested authority.

IT IS THEREFORE ORDERED:

1. That Village Water and Sewer Company, Inc. is hereby granted a certificate of public convenience and necessity to construct, install, own, operate, control, manage and maintain a water and sewer system for the public in an unincorporated area of Johnson County, Missouri.
2. That the rates for water and sewer service provided for by this Report and Order are as agreed to by Staff and Applicant and are subject to review by Staff within eighteen (18) months of this Report and Order's effective date.
3. That within sixty (60) days of the effective date of this Report and Order, Village Water and Sewer Company, Inc. shall file an original tariff for water service and an original tariff for sewer service containing the rates above set out. Said tariffs shall also contain the rules and regulations concerning the utility's operation and services, which provisions shall comply with the Commission's rules.

4. That Village Water and Sewer Company shall maintain its books and records as required by the Uniform System of Accounts.

4. That this Report and Order shall become effective on the 7th day of January, 1991.

BY THE COMMISSION

Brent Stewart

Brent Stewart
Interim Executive Secretary

(S E A L)

Steinmeier, Chm., Rauch, McClure,
and Letsch-Roderique, CC., Concur.
Mueller, C., Absent.

Dated at Jefferson City, Missouri,
on this 28th day of December, 1990.