

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY
September 24, 1999**

CASE NO: SA-2000-248

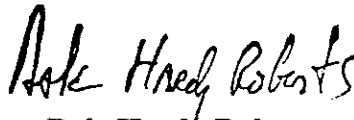
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102

Mark E. Kelly
Withers, Brant, Igoe & Mullennix, P.C.
Two South Main Street
Liberty, MO 64068

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

Sincerely,



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Uncertified Copy:
To the county commissioners of Clay County.

Mark Geisinger
205 S. Spartan Drive
Richmond MO 64085

Kevin Hawthorne
1114 N. Walrond
Kansas City, MO 64120

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of the Application of Central	)	
Rivers Wastewater Utility, Inc., for a	)	
Certificate of Convenience and Necessity	)	
Authorizing It to Construct, Install, Own,	)	<u>Case No. SA-2000-248</u>
Operate, Control, Manage, and Maintain a	)	
Sewer System for the Public, Located in an	)	
Unincorporated Area in Clay County, Missouri.	)	

ORDER AND NOTICE

On September 22, 1999, Central Rivers Wastewater Utility, Inc. (Central Rivers or Applicant), filed an application with the Commission seeking a certificate of convenience and necessity to construct, install, own, operate, control, manage, and maintain a sewer system for the public in an unincorporated area of Clay County, Missouri, in an area west of Highway 35 and Kearney, Missouri, and known as Wil-Mar Estates Subdivision. A plat of the proposed area is attached to the application, together with a metes and bounds description.

Applicant is a Missouri corporation, with its principal office and place of business located at 205 South Spartan Drive, Richmond, Missouri 64085. Applicant has filed a preliminary feasibility study for the proposed sewer operation and stated in its application that there are no other public utilities or governmental bodies operating, providing, or rendering service in the proposed service area. Applicant has stated that there are no current residents of the proposed area and that the area is being developed by Robertson Properties, Inc.

The Commission has determined that the information officer of the Commission will send a notice of this application to each newspaper located in Clay County, Missouri, as listed in the newspaper directory of the current *Official Manual of the State of Missouri*, and to all members of the Missouri General Assembly representing Clay County. Further, the Records Department of the Commission shall serve a copy of this order on the County Commissioners of Clay County.

The Commission has also determined that proper persons should be allowed 30 days from the issuance of this order to file an application to intervene. The requirement of a hearing is met when an opportunity to be heard has been provided and no proper party has requested the opportunity to present evidence. State ex rel. Rex Deffenderfer Enterprises, Inc. v. Public Service Commission, 776 S.W.2d, 494, 496 (Mo. App. 1989). In the event no proper person files an application to intervene in this matter, the Commission may proceed on the basis of the verified application and its attachments.

IT IS THEREFORE ORDERED:

1. That the Records Department of the Missouri Public Service Commission shall serve notice on the County Commission of Clay County, Missouri, as set out herein.

2. That the information officer of the Missouri Public Service Commission shall serve notice on the members of the Missouri General Assembly representing persons residing in Clay County, Missouri, and on all newspapers located in Clay County, Missouri, as set out herein.

3. That any party wishing to request a hearing or to participate without intervention in this matter shall file an application no later than October 25, 1999, with:

Dale Hardy Roberts, Secretary
Missouri Public Service Commission
Post Office Box 360
Jefferson City, Missouri 65102

and send copies to:

Mark Kelly, Esq.
Withers, Brant, Igoe & Mullenix, P.C.
2 South Main Street
Liberty, Missouri 64068

and:

Office of the Public Counsel
Post Office Box 7800
Jefferson City, Missouri 65102

4. That the Staff of the Commission shall file a memorandum advising either approval or rejection of this application and giving the reasons therefor no later than November 23, 1999.

5. That this order shall become effective on September 24, 1999.

BY THE COMMISSION

(S E A L)



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Kevin A. Thompson, Deputy Chief
Regulatory Law Judge, by delegation
of authority pursuant to 4 CSR
240-2.120(1) (November 30, 1995)
and Section 386.240, RSMo 1994.

Dated at Jefferson City, Missouri,
on this 24th day of September, 1999.

**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 24TH day of SEPTEMBER, 1999.



Dale Hardy Roberts

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